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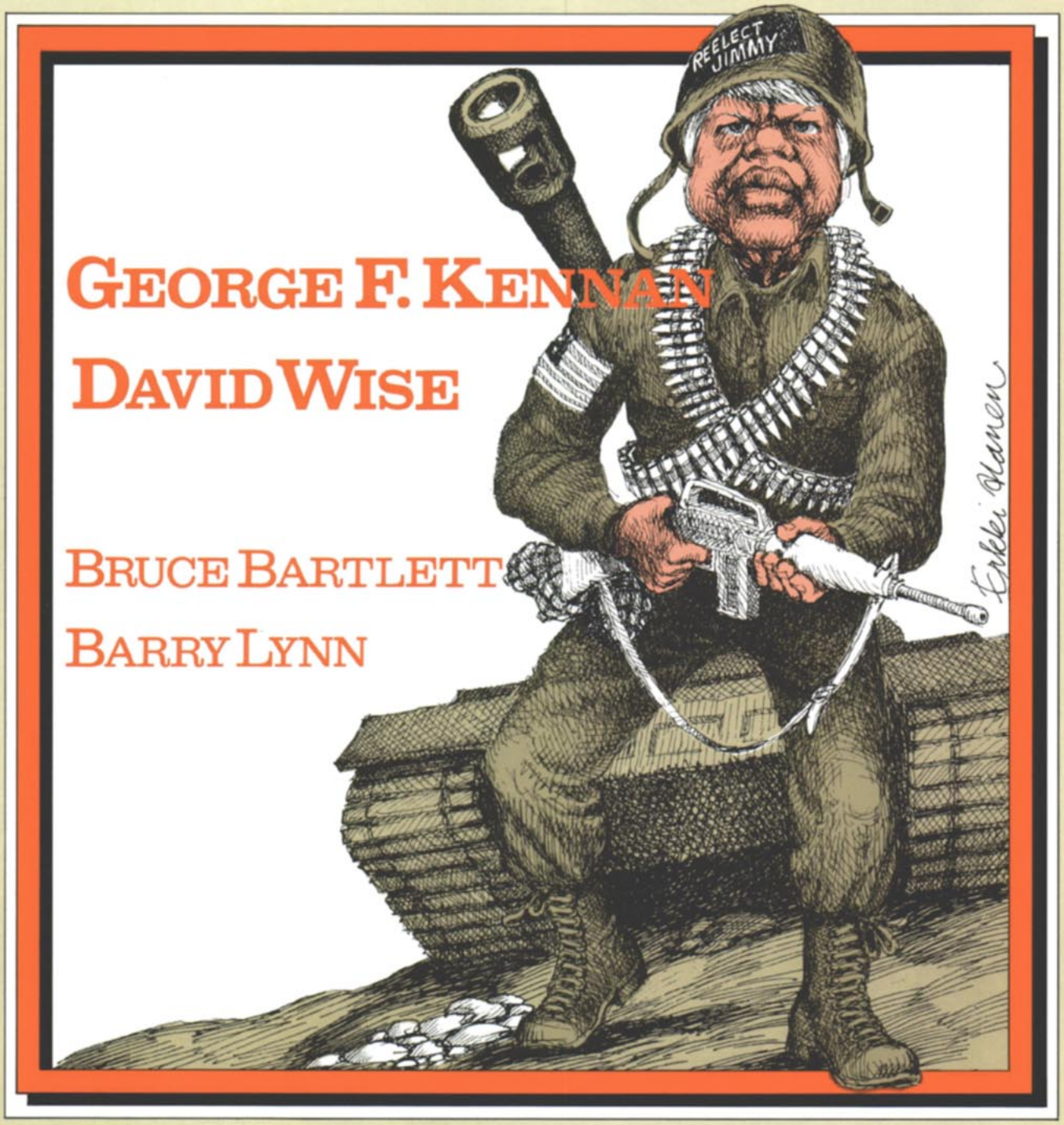
CARTER'S NEW COLD WAR



GEORGE F. KENNAN

DAVID WISE

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They could wiretap, plant informers, topple democracies, use people as guinea pigs, run smear campaigns, provoke violence, hire Mafia killers. It was cloak and dagger and no questions asked.

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MARCH 17, 1980

The Soviet Threat: How Real?

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Jimmy Carter, full of bluster, sends marines to the Persian Gulf. Around the State Department they talk of tactical nuclear strikes. Is all this necessary?

Unleashing the CIA

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It's time to be on the lookout for LSD in your coffee. And don't put anything in the mail that you wouldn't want the CIA to read. The spooks are loose again.

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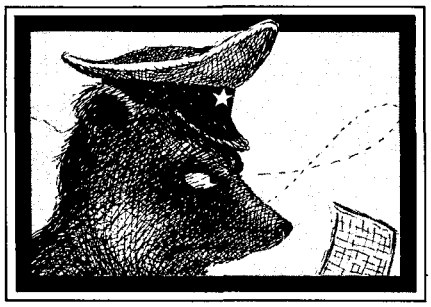

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A WORD FROM THE PUBLISHER

HEREWITH OUR RESPONSE to the State of the Union address of a President who believes he has found a winning formula for reelection—or at least a way to get through the early primaries. David Wise deals with the "unleashing" of the CIA, and Barry Lynn reports on the plan to "revitalize" the draft—a question on which the young people of America themselves will perhaps have the last word. We present also a sane and balanced analysis of the Soviet "threat," by the dean of American diplomats, George F. Kennan. Finally, Bruce Bartlett gives an account of what could conceivably be—forgive us our cynicism—the ultimate raison d'être for this whole outbreak of hysteria: the "revitalized" war economy. Our conclusion: What Carter's policy offers is a more perilous—and poorer—life for us all.

RR

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RES PUBLICA

Me President, You Vice President

■ Sen. Howard H. Baker Jr. said Wednesday that he would not "accept an offer to become a running mate for anyone else" but that he would consider naming a woman to be his own vice presidential running mate.

"My talent is getting elected," Baker shouted, in a speech before a historical society in Peterborough. He beat his chest with a clenched fist.

—*Los Angeles Times, Feb. 7, 1980*

Noses in the public service

■ Succinctly put, Jacksonville [Florida] often stinks.

But people do not always agree on what smells bad. And machines do not measure odors.

So in the first such project environmental officials remember, Jacksonville has selected nine noses from the city's pollution-control board to sniff around and decide which smells are objectionable.

—*Miami Herald, Jan. 16, 1980*

Former public school honor student named ambassador

■ [U.S.] Ambassador [to Singapore] Richard Kneip didn't know there were two Koreas or that India and Pakistan had fought a war in 1971, says [Edward Ingraham] a career diplomat dismissed by Kneip after eight months as his chief deputy.

One day, during a discussion of the resurgence of Islam, Ingraham said Kneip had asked him, "What's Islam?"

He said Kneip, shortly after his arrival, had asked senior staff members:

"Did you say there are two separate Korean governments? How come?"

"You mean there has been a war between India and Pakistan? What was that all about?"

—*San Francisco Chronicle, Jan. 31, 1980*

I wonder if you'd speak into my crucifix

■ The CIA should be able to use professors, clerics and news reporters as undercover agents, Director Stansfield Turner says.

—*San Francisco Examiner, Feb. 7, 1980*

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■ Iran's Islamic authorities have established a center for the abolition of sin.

The Tehran daily newspaper Bamdad said today that the center, set up on the orders of the prosecutor's office, would prevent activities harmful to Islamic society and young people in particular.

It said its agents would issue warnings to owners of places of entertainment that spread corruption and sin. Offenses include performances by female singers and dancers, the distribution of drugs, the admission of men with their mistresses, the picking up of women in cabarets, cinemas, self-service cafes and restaurants.

—*New York Times, Jan. 13, 1980*

Curbing the robber barons

■ Billy Halliwell's red wagon breakfast business has folded, a victim of red tape.

"I have learned at a very young age how complicated free enterprise can be," the 12-year-old businessman told last week's White House Conference on Small Business.

His problems began shortly after he opened an impromptu coffee and donuts business along Main Street in Roseland, N.J., to earn money for a new bicycle. At the time, it seemed a simple matter to borrow his sister's wagon and sell to bleary-eyed motorists waiting in last spring's long gasoline lines.

"Well," he admitted, "I had no idea what was in store for me. I soon encountered problems I never dreamed of. Government agencies began to step in and suddenly there were many rules and regulations I had to follow."

A trip to the state capital in Trenton was necessary "to resolve my problem," he said. Health officials were sent to inspect his wagon—it passed—and to cap it all, the young entrepreneur had to file a quarterly tax return for 21 cents.

—*Los Angeles Times, Jan. 21, 1980*

Who loves ya, baby?

■ A former Miami undercover policeman beaten by fellow officers in 1974 would receive $300,000 under a tentative settlement of his lawsuit against the city, Miami officials said.

The settlement, which is contingent on City Commission approval, would resolve a 1978 suit filed by former Miami vice officer Joseph Cook.

As an undercover officer, Cook was attempting to buy narcotics when other city policemen stopped him, roughly handcuffed him and beat and kicked him, Cook's lawsuit charged.

One of the arresting officers, B. Charles Outlaw, later was convicted of assault in the incident and fired. . . . Outlaw and the other officers who arrested Cook contended they didn't know he was a police officer.

—*Miami Herald, Jan. 10, 1980*

Accuracy and objectivity

■ George Lewis, NBC-TV's Tehran correspondent through most of the crisis surrounding the taking of American hostages there, returned from Iran last week calling Ayatollah Khomeini a "fag" and Foreign Minister Sadegh Ghotbzadeh a "bigmouth."

—*Editor and Publisher, Jan. 26, 1980*

Sorry about that

■ A series of case studies by the Advisory Commission on Intergovernmental Relations has shown that much of the growth of the Federal Government in recent years has been accidental.

"Simply put, many of the larger and more controversial Federal programs were adopted initially without much consideration of their long-range significance," David R. Bean, senior analyst for the commission, wrote. "In numerous instances, program costs have soared beyond the expectations of the public officials who voted for them. For this reason, the construction of the contemporary leviathan state must be judged in part to be simply a mistake."

—*New York Times, Dec. 16, 1979*

With a song in his heart

■ The nation desperately needs many material things. But what the nation needs most is to recover the morale and élan of a great power. It needs the majority party to recover its true voice and join in singing the nation's traditional confidence. . . . Leaders as well as poets should celebrate the nation's righteousness.

—GEORGE F. WILL,
Newsweek, Feb. 4, 1980

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Who is really hurt?

The grain embargo

PRESIDENT CARTER HAS BECOME embargo-happy. Whenever another nation does something Carter doesn't like, his immediate instinct is to slap an embargo on American exports as a punishment for the errant government. First it was Iran. Then, on January 4, Carter imposed an embargo on 17 million tons of American grain (corn, wheat, and soybeans) already contracted for by the Soviet Union. This came after repeated pronouncements by Carter that he would never stoop so low as to "single out food as a bargaining weapon" or to put "economic pressure on another nation." Apparently, Carter is no longer too proud to play politics with food.

Before Americans get carried away by the itch to punish, we might ask precisely who would be punished by a grain embargo. Trade confers benefits on both parties to an exchange. If, for example, Americans sell corn to the Soviets and buy chrome or manganese in return, both the Americans and the Russians benefit. Disruption of trade injures both parties. To the extent, then, that the grain embargo is effective, if Russians are injured, then so are Americans.

But which Americans? Ordinarily, an embargo on grain exports would injure the American farmer, whose production has been geared for export and who not many months ago was urged by the Department of Agriculture to plant grain from "fence row to fence row." Since the American farmer is sacrosanct in American politics—especially in an election year—it didn't take the administration long to make it clear that, whoever is destined to suffer from the grain embargo, it will not be the American farmer. The U.S. government announced that it would purchase all the grain previously destined for Russia and hold it off the domestic market, so that farm income would be maintained and grain prices would not fall. Plans are already underway to restore the New Deal farm policy of farm price supports and paying farmers not to grow grain. This had been in effect for four decades, until the early 1970s. Good work if you can get it. Perhaps eventually the federal government will pay us not to write editorials.

And so, in order to shield the grain farmers from the effects of the embargo, the American consumers will be injured—and in at least two ways. As taxpayers, citizens will have to pick up a tab of more than $4 billion in the first year alone, and later payments will be substantial and will stretch indefinitely into the future. And as consumers, the American people will suffer from higher grain prices brought to them by the policies of the Carter administration.

But that is not all. Imports and exports are two sides of the same coin. We cannot expect exports to be cut without a subsequent fall in imports. If Americans acquire fewer rubles from the Russians, then our needed purchases of Russian goods must fall as well. And politically, it is certainly reasonable to expect the Russians to retaliate with counterembargoes of their own, which could only injure the American consumer still more.

There are other incalculable but important long-range consequences of Carter's petulance. If other countries with whom we trade decide that they too can expect an embargo every time they displease Jimmy Carter, they will begin to redirect their international trade to more reliable partners and will import less from America. As Luther Tweeten, an agricultural economist at Oklahoma State University, declared, "Other countries less rich than Russia simply can't afford to trust us as their sole supplier if something like this can happen." President Carter himself took note of this fact on a nationwide radio program last October, when he declared that "If we should interrupt sales of those grain products overseas, we would make our potential buyers very uncertain about our ability to supply them." The most important legacy of the grain embargo might well be a decrease in foreign demand for U.S. products across the board.

Thus the punishment of Americans is one certain consequence of the embargo. How about the Russians? Who among them will be injured? It surely will not be Brezhnev and his compatriots in the Politburo; regardless how much scarcer Russian meat will be because of the reduced supply of American feed-grains, we can be sure that Brezhnev will suffer no drop in his personal consumption of meat. The only Russians to suffer will be the innocent people, those same downtrodden folk for whom the Carter administration likes to profess its profound concern. It is a high irony that the "punishment" inflicted by Carter will fall not on the culprits in the Kremlin, but on the ordinary Americans and Russians on whose behalf Carter is supposedly waging his bellicose foreign policy.

The Carter supporters might counter, of course, that the increased suffering by the Russian people will help to alienate them from their leaders. Aside from the questionable morality of this tactic, it is likely to prove counterproductive; for who else will the Russian people blame for their lack of meat if not the Carter administration, which after all inflicted the grain embargo? The policy is far more likely to unify the Russian public behind Brezhnev than to drive a wedge between the two.

All this assumes that the embargo will really work, that it will actually cut Russian grain imports substantially. But we must realize, first, that the Soviets import only 5 to 15 percent of their grain, so that even a completely effective embargo will not inflict much damage upon the Russians. Moreover, the cruelest irony of the embargo is that is is not likely to work very well at all. The United States now provides half of the world's grain exports, but the market is impersonal, and grain is "fungible": One bushel of corn looks exactly like any other bushel. "Communist" corn, "racist" corn, or good old American corn—they're all pretty much the same. And so the pressure will be irresistible for third parties to rush into the gap—either to produce and sell the Russians the grain, taking advantage of the American blockage, or simply to buy American corn and wheat and resell them to Russia. It is true that

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more middlemen will be added, but the Russians will probably get all the grain they want. And that is why economic sanctions, no matter how enthusiastically proclaimed by the nations of the world, have never really succeeded. The 1973 Arab embargo on oil to the United States failed notably, and landlocked Rhodesia never really suffered during the years when it was under a supposed worldwide economic boycott.

Argentina, already, irritated by the Carter administration's continuing criticisms of its human rights violations, has refused to go along with the grain embargo. The State Department admitted on January 24 that the administration "realized too late Argentina's importance in the world grain market." Argentina's 12 million metric tons of exportable feed grains, it now turns out, could well end up in Russia, since the traditional customers for Argentina's grain rushed to buy American grain when its price was depressed after Carter's initial announcement of the embargo, leaving Argentina's grain still for sale. As a result, the administration sent former NATO commander General Andrew J. Goodpaster down to Buenos Aires on January 23 in an attempt to win Argentine cooperation for the embargo. But this is just the beginning of the leakage.

The United States, of course, could try to frustrate the operations of the potential middlemen by slashing or eliminating most or all of its grain exports to the world and not just to the Soviets. But this would be madness: It would cost the American taxpayer billions more, drive food prices far higher, and anger our European and Japanese allies, who are our biggest grain customers.

The Carter grain embargo is probably unworkable—which may be just as well, because to the extent it does prove effective, it will injure the people of both America and Russia, cripple and distort trading patterns, and raise food prices here and abroad. Above all, trade is an act of peace, an act of mutual benefit to all the trading partners. By using food as a weapon and by disrupting and repressing peaceful trade, President Carter has advanced another crucial step on the road to World War III. ❑

Is the Persian Gulf so vital?

An unasked question

AMERICAN PRESIDENTS LEARNED LONG ago that there's no better way to win public support for expensive and dangerous foreign-policy initiatives than scaring the hell out of the American people. Harry Truman did it in 1947, when he portrayed Greece and Turkey as tottering dominoes whose fall would bring the Red hordes crashing into Western Europe, and John Kennedy followed suit in 1962, marching the world to the brink of nuclear war to rid Cuba of Soviet missiles that posed no threat to the stability of mutual deterrence. Now Jimmy Carter tells us that unless we beef up the military, spend extra billions for "rapid deployment forces," and shore up the regimes of every greedy sheik and cutthroat general in the Persian Gulf, the Russians will cut our "oil lifeline." And if that happens, administration officials say, you can kiss Western civilization goodbye.

Is the Persian Gulf really vital to American security? That's not a question that gets asked much around Washington these days. Most politicians, even those who opposed the Indochina war, have jumped on the Cold War II bandwagon, and the press seems, if anything, more eager than the President to help the country get over the "Vietnam syndrome." But the question needs asking before the country goes so far down the road to war that it can't turn back.

The fact of the matter is that the United States, though its dependence on foreign oil has leaped dramatically over the last decade, still gets less than 10 percent of its petroleum from the Persian Gulf nations. If that oil were cut off, the United States would feel the pinch, but it is worthwhile to note that in 1979 the country decreased its oil consumption by 8 percent without undue suffering. The real victims of any cutoff would be Western Europe and Japan. But in recent years both of these American allies have taken steps to reduce their dependence on the Persian Gulf, the Japanese by making trade agreements with China and investing in energy development projects in Siberia, the Europeans by importing energy from the Soviet bloc: The Common Market countries now get 7 percent of their natural gas, 5 percent of their oil, 35 percent of their enriched uranium, and 40 percent of their imported coal from the East. This perhaps explains why our allies have been slow to enlist in the economic war Carter has declared against the Russians.

The Russian invasion of Afghanistan has everywhere shaken confidence in détente, but there are few foreign-policy analysts, even in the Carter administration, who think that action is a prelude to an invasion of the Persian Gulf and a cutoff of oil. Such an invasion would be an outright invitation to war with the West. Even if the Soviets wanted war, it is unlikely they would waste forces on occupying the oil states: The cutoff of oil to the West could be accomplished more economically by destroying with bombs and missiles the three ports through which most Persian Gulf oil must flow. According to U.S. military studies, there is virtually nothing the United States could do to prevent this. Common sense, then, suggests that the best way to assure against a Soviet strike on the Persian Gulf is to avoid confrontations that might lead to hostilities. Unfortunately, common sense is in short supply these days.

The real worry in Washington is not a Soviet invasion of the Gulf, but internal strife, like that which brought down the shah. The dominant assumption among policymakers seems to be that pro-Soviet, revolutionary regimes like those in South Yemen or Iraq will endanger America's vital interests in a way that the shah or the Saudis haven't. The latter, of course, have been model friends: Their moderation in oil pricing is legendary, and if one forgets a minor lapse during the 1973 embargo, they have been admirably reliable suppliers to the West. From a revolutionary Saudi regime, the United States could expect no such restraint. Or so Carter seems to believe. This is why the Pentagon is busy assembling the troops and transport for the planned "rapid deployment force." Soon the United States will be able to get 100,000 men to the Persian Gulf within a month's time to battle political insurrections against "friendly governments."

But what will the United States do if the Soviets warn that they will respond with force to any American intervention in, say, Iran? Is the American interest in the Persian Gulf so vital that a President would risk war with the Russians—and a cutoff of that essential flow of oil—to keep the Tudeh party out of power in Iran? These are the questions the Congress and the press should be asking. Unfortunately, all is silence; the American people have had the hell scared out of them.

We think it is time to make a more realistic assessment of

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American interests in the Persian Gulf. Short of another world war, there seems little chance that the United States will lose its access to oil there. Still, it seems prudent for the United States to cultivate friendlier relationships with countries like Libya, Algeria, Nigeria, Canada, and Mexico, which now supply most of America's imported oil. A good starting point would be to halt U.S. military aid to Morocco's drive to annex the Western Sahara, a campaign that Algeria is opposing. It is also imperative that the Carter administration immediately end the price controls on domestic oil and gasoline, controls that artificially encourage the consumption of imported oil. Somehow, someone must make it clear to the American people that if the Persian Gulf becomes vital to us, it will be only because we made it so. ❑

Mickey Mouse morality

The FCC and General Tire

FRED FRIENDLY, A FORMER HEAD OF CBS News, once called the Federal Communications Commission "an administrative Never-Never land." Over the years the FCC has generously endeavored to make Friendly sound like a prophet, and so it was hardly surprising last month when the agency decided to yank three broadcasting licenses, worth some $270 million, from RKO General, Inc.

The decision also jeopardizes thirteen other RKO licenses, worth another $130 million, and in the first day after the FCC decision the company's stockholders lost nearly $100 million as the market price of their shares plummeted. The entire broadcasting industry came down with a collective case of the jitters. RKO is one of the oldest and largest companies in the field. If it could happen to them it could happen to anyone.

What got RKO into trouble was not anything its television stations put on the air or even failed to put on the air. At issue were some activities at RKO's parent company, General Tire and Rubber, that took place years ago. It seems that in the early 1960s General Tire insisted that other companies buy advertising on RKO stations as a condition of doing business with General Tire. And General Tire also engaged in some business shenanigans—bribery and the like—in foreign countries like Rumania and Chile.

The Justice Department had criminal jurisdiction over the matter of advertising kickbacks, and it settled for a 1970 consent decree in which General Tire admitted what it had done and promised to sin no more. The Securities and Exchange Commission had jurisdiction over the bribery, and the SEC settled for a repentent confession and a $200,000 fine in 1976.

So General Tire had every reason to believe that its troubles were over. It had satisfied the two federal agencies that investigated its wrongdoing. In the years since the consent decree RKO's sixteen broadcasting licenses had been renewed many times. And then, without provocation, the FCC intervened and refused to renew licenses for television stations WNAC in Boston, WOR in New York and KHJ in Los Angeles. RKO is not qualified to operate stations "in a manner consistent with FCC standards," the agency said, a statement absolutely preposterous to anyone who has ever watched "Three's Company" or "The Gong Show" on hundreds of stations every week.

It's bad enough that we're cursed with a federal Big Brother to watch over the content of American broadcasting. American newspapers and magazines operate quite satisfactorily without the benefit of government censors; there is no reason to suppose that radio and television need such scrutiny, either.

But here the FCC has made a quantum leap from regulating programming itself to making moral judgments on the people in the broadcasting field. There was not a scintilla of evidence to suggest that RKO has operated its radio and television stations in a fashion inconsistent with the FCC's definition of "the public interest." In fact, several commissioners said it was quite the opposite. "They are broadcast pioneers," noted Commissioner James H. Quello, "with over 25 years of meritorious broadcast service to the public."

Nor did the FCC say that the people who actually ran RKO were crooks or charlatans. All the allegations were aimed at the parent corporation. "The FCC is using an unprecedented broad-brush approach," said company spokesman Ed Kalail. "They are saying the moral character of General Tire—the moral character of people at one location—makes a company unfit at another location, and the logic doesn't fit." If the FCC insists that the logic does fit, it will mean an awful lot of radio and television stations are going to change hands in the next few years. At least fifteen companies that have admitted "questionable payments" in their overseas dealings own or control substantial interests in broadcasting outlets; the list includes Columbia Pictures, General Electric, and Gulf & Western. More than a hundred stations would be affected if these companies were declared unfit by the FCC.

And will the FCC stick by its guns? Well, in Never-Never Land anything can happen. The week after the FCC took away the RKO licenses, the agency turned around and approved two license applications from Westinghouse Broadcasting Co. Students of business ethics will recognize the name; in 1961 parent company Westinghouse Electric pled no contest to federal charges of price-fixing on $7 billion worth of sales, and in 1978 entered a guilty plea to charges of bribing an Egyptian official with $323,000. Why can Westinghouse hold licenses if RKO can't? How many angels can dance on the head of a pin?

Commissioner Quello called the RKO decision "gross bureaucratic overkill." We call it monstrous injustice. For some offenses that can be characterized as trivial at the very worst, the company is being fined $400 million, or 2000 times what the other federal agencies involved thought was appropriate. The company's 45,000 innocent stockholders are being destroyed in the marketplace. The viewing and listening public will now have to contend with untested and inexperienced new license holders. (And now that the FCC has served notice that it intends to yank licenses irrespective of programming quality, other broadcasting companies will doubtless concentrate on short-term profits rather than long-term quality; if they're going to lose the license at the end of the three-year period, why bother to build up a faithful viewing audience? Just pack in the greatest number of commercials possible, take the money, and run.)

The only winners are the handful of individuals who comprise the groups that will eventually get the RKO licenses if the FCC's action holds up in court. These people, without having done a damn thing to earn it, will become instant millionaires when the FCC hands them the licenses. It's enough to make you believe in fairy godmothers. ❑

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LETTERS

Goldwater on Hess

KARL HESS [DEC. 10, 1979] throws a few fast pitches at my new book. I've known Karl for so many years and have so much respect for him that he could say anything he wants about me or my efforts and I'm not going to get upset.

BARRY GOLDWATER
U.S. Senate
Washington, D.C.

Americans abroad

*YOUR EDITORIAL "THE HOS-*tage Crisis" [Dec. 24, 1979] is an amazing thing to read. You start from the premise that this nation needs to avoid a war-fever mentality. Good point, but then you descend into a morass of whimpering and simpering impotence best summarized by your concluding remark on the options available to this country in dealing with Iran: "we must hope for the best in this very imperfect world." Having eschewed any type of military action, you don't even mention the whole gamut of options of an economic nature but conclude that short of invasion, prayer vigils are the most we do in this situation.

The article abounds with assertions that offer dramatic departures from many long-held beliefs and principles. I won't go into all of them. One sticks out. You concluded that citizens of any nation can expect the protection of their nation only when they are within their own borders. Bad enough this abandonment of tourists and businessmen. You go on to say that "no one forced them [the hostages] to go beyond the boundaries of the United States." I wonder how many new recruits we would get to the Foreign Service or our military services if we told prospective applicants, "Oh, by the way, if you are sent overseas, you're on your own. You certainly would not expect your government to take any risks to protect you."

The basic flaw underlying the article is the failure to accept the fact that nations, like people, either protect their rights and liberties or lose them. Completely absent from the article is any thought about the future of this nation in a world that still, unfortunately, respects and reacts to power or its manifestation, force. The author is willing to submit to the "hard doctrine" that people who leave their own countries "take their chances"; a recognition of the vicissitudes, violence, illogic, and dangers of a world where force prevails over the rule of law. Yet, Americans are supposed to refrain from any action that might take an innocent life (are the hostages not innocents?) or bring pain or inconvenience to the perpetrators of the kidnapping or those who support them.

It also boggles the mind that the author chastises Americans for being quite worked up about fifty hostages in Tehran but caring little about the victims of Bokassa, Idi Amin, or Pol Pot. What drivel! We cannot impose our will everywhere to right every wrong no matter how ghastly the wrong. Because we cannot right all wrongs does not mean we should not right any wrong. And finally, except for very few people anywhere in the world (apparently including the author), it is the most natural human reaction imaginable to be concerned more about the predicament of one's countrymen than about others.

ANDREW P. GROSE
Carson City, Nev.

Right to bear arms

IF SAM FIELDS [LETTERS, Feb. 4] knew aught of constitutional history, he would know our founding fathers haggled long and hard over every word. When they said "the right of the people to keep and bear arms shall not be infringed," they meant exactly that: *the people,* not the militia, regardless of the many *split opinions* issued by the court. The so-called "qualifying phrase" explains the *reason,* but Amendment II is a flat command, in the imperative form of the verb. Pity our courts, for their faulty understanding of plain English.

Something on the order of one-half of one percent of privately owned firearms in the United States are involved in crime. Yet the antigun bigots, who would deprive all present and future generations of a fundamental constitutional right and force all persons into their own narrow mold, have so distorted a view of reality that they would punish the owners of the other 99½ percent, law abiding citizens whose weapons are not involved in crime.

Fields deceives readers when he claims the thrust is only against handguns. Too many antigun individuals and organizations have let the cat out of the bag, admitting publicly that handguns are only the first step, and that the ultimate goal is a totally disarmed America. That means shotguns and rifles down the tubes, along with handguns. Those who pretend this is not the actual long range goal of a great many antigun people are being less than honest.

FIELDING GREAVES
Lt. Col. (Ret), U.S. Army
San Rafael, Calif.

The not-so-new left

IN REGARD TO YOUR "READY for Teddy" comment [Dec. 10, 1979], you made it insufficiently clear that Michael Harrington himself is not, or rather was not, a participant in the social movement known as the New Left.

Harrington became a socialist in the 1950s, when New Leftists were still incubating in high school or the elementary grades, wrote *The Other America* (which allegedly influenced the New Frontier), and joined the Socialist party. Throughout the early sixties Harrington pushed the Socialists toward acceptance of a "political realignment" strategy, i.e., the attempt to corral all left-liberals within the Democratic party and purge its more conservative elements. It was also at this time that he expressed his displeasure, in the pages of New York's *Village Voice,* at the spread of hippie phenomena and the youth culture.

When the Socialist party fell apart under the strain of supporting LBJ's Great Society program in Southeast Asia, Harrington assembled some remnants in the DSOC, which, along with other, somewhat more bizarre cults, has attracted a number of burnt-out New Leftists—now sadly reduced to the role of would-be cheerleaders for Teddy Kennedy's Imperial Presidency.

MARTIN COMACK
Somerville, Mass.

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NAT HENTOFF

Ted Kennedy's jihad against the Bill of Rights

A FORMER REPORTER AND editorial writer for the *New York Times*, my friend is now a prestigious free-lancer, appearing in the *New Yorker*, delivering commentaries on a radio network, and otherwise informing the citizenry of what they need to know in order to govern themselves. Around the beginning of the year, I met him on the way to Washington and asked what he thought of Ted Kennedy's 1980 Criminal Code Reform Act, which had recently passed the Senate Judiciary Committee by a 14-to-1 vote.

The renowned journalist confessed ignorance. Oh, he had heard something about the bill but, it turned out, was unaware that the act includes preventive detention and—for the first time in American history—allows the government to appeal sentences it considers too "lenient." Nor was he aware of myriad assaults on the First Amendment in the Kennedy code.

He is far from alone in his lack of awareness of Ted Kennedy's newest attack on the Bill of Rights. In all the print and television interviews with Kennedy that I have seen since the latter declared for the presidency, not a single journalist has questioned him about the Criminal Code Reform Act. As one of his key aides told me after Kennedy's trauma in Iowa, "The one thing we *don't* have to worry about is what people think of this bill. Hardly anybody knows about it; and even if most people did, it's not the sort of thing that gets anybody but you civil libertarians aroused. And you are not exactly legion."

The silence concerning the present version of the Criminal Code Reform Act (S. 1722) is all the more dismaying because this is not a new legislative maneuver. As I have noted earlier ("A profoundly un-American bill," April 17, 1978), Kennedy has traveled this route before and was preceded by other putative dismantlers of the Constitution.

It all began in 1966 when Congress appointed a commission to look into the possibility of finally constructing a lucid, updated, coherent codification of the more than three thousand federal criminal laws on the books—an eminently sensible undertaking because there were various contradictions in the law, and no little obsolescence. For example, it was still a federal crime to seduce a female passenger on a steamship, as well as to waylay and detain a United States carrier pigeon.

By the time the Brown Commission (named after the former, not the present, governor of California) came back to Congress with a generally reasonable set of recommendations, Richard Nixon was President. Nixon's Justice Department so transmogrified the proposed Brown code that even Congress recognized its dangers to individual liberties and ignored it. The late Senator John McClellan then attempted a rescue operation, coming forth with the notorious S.1, which was also so brazenly antilibertarian that it died in committee in 1976. The next year, Ted Kennedy formed an alliance with McClellan—and on the latter's death, with Strom Thurmond—to create the Son of S.1—S.1437. That measure passed the Senate 72 to 15 but expired in the House because of the dogged resistance of Representative Elizabeth Holtzman (D-N.Y.) and some conservative congressmen who could not bring themselves to approve the evisceration of the Bill of Rights.

IN 1979, KENNEDY TRIED again. Whatever his other virtues as a legislator, Kennedy has always been insensitive to civil liberties, so he had no trouble seeing this bill as a way to strengthen his then unannounced campaign for the presidency. In all his years in the Senate, the Kennedy name had not been attached, as an initiator, to a single major piece of legislation. Now, this ambitious overhaul of federal criminal laws would bear his name and thereby testify to his legislative leadership. Furthermore, there were enough harsh provisions in it to prove how tough he is on crime—a necessary antidote, Kennedy felt, to his "liberal" image.

And that is why we are now confronted with the Grandson of S.1—S.1722. Cavalierly, the bill would overturn our most basic principle of justice: the presumption of innocence. Kennedy and his staff avoid the term "preventive detention," but that is precisely what his code would enact. *Before* trial, a defendant—even if there is no danger that he will flee in the interim—can be jailed according to the discretion of a judge. The jurist may not like the defendant's associates; or, even though he is still dealing with someone who has merely been *accused*, he may decide to lock the defendant up as a potential danger to the community. In sum, a defendant can be treated as if he were guilty before he has a chance to prove his innocence.

The bill would overturn our most basic principle of justice: the presumption of innocence.

Another provision, allowing the government to appeal sentences it regards as too "soft," is a violation—as the American Civil Liberties Union strenuously contends—of the double jeopardy clause of the Fifth Amendment: ". . . nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb." If the government has not been able to make a strong enough case for heavy punishment at trial, the ACLU points out, it will now be able to try again to obtain a harsher sentence for the same offense.

The code's incursions into the First

NAT HENTOFF writes a monthly column on civil liberties for INQUIRY. His book The First Freedom: A Tumultuous History of Free Speech in America *will soon be published by Delacorte.*

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Amendment are wide-ranging. For instance, one section is aimed specifically at antinuclear demonstrators at any facility engaged in the production or distribution of energy, whether the facility is actually functioning or is still under construction. If any speaker at such a demonstration urges the audience to engage in any physical action against the plant, the FBI will now be empowered—*even if no such action is taken*—to infiltrate the group holding the demonstration and to monitor all its future activities. Also, that group, because of this solitary speech, even if it remains only speech, can be officially targeted as "terrorist."

In addition, Kennedy has enshrined in his code a section making it a federal crime to picket or otherwise demonstrate within one hundred feet of a federal courthouse while any judicial proceeding is underway. The First Amendment protects "the right of the people peaceably to assemble." It makes no exceptions for federal courthouses.

IN STILL ANOTHER MOVE TO chill speech, the Kennedy bill expands present law by setting up as a federal crime the making of a false oral statement to a law enforcement official. This means an exchange on the street during, let us say, a demonstration. If a cop wants to arrest you for allegedly lying to him, he can do so on the spot even though you have no lawyer present and even though neither you nor the cop is under oath. He does need some "corroboration," but that's easily taken care of if another cop says he has overheard the conversation. Such a provision can permit police to cripple a demonstration by arresting its leaders for alleged false oral statements, while also serving to inhibit future demonstrations.

Electronic surveillance and eavesdropping are not in the least curbed by S.1722.

One of the arguments offered by Kennedy's staff lawyers to justify some of the pernicious parts of S.1722 is that, after all, those very sections already exist in law. But this is supposedly a criminal code *reform* bill, and there is no need to further legitimize bad present law by including it in a new act—except in order to pacify antilibertarian senators and representatives so that they will support the bill as a whole. And this is exactly the sort of deal Kennedy has made.

A particularly dangerous illustration is S.1722's inclusion of the secrecy provisions of the Atomic Energy Act of 1954. With this weapon, the government was able to enforce the longest prior restraint in American history—on *The Progressive* magazine. The case was finally dropped because the so-called "secrets" in the magazine's article on the H-bomb began to surface in other publications. But the censorship section of the Atomic Energy Act still remains in force, and it is arguably the single federal statute most destructive of free speech and press. That's because of its astonishing overbreadth: for example, its insistence that anything to do with nuclear weapons is automatically classified "at birth"—even if the birth takes place in the mind of a reporter or scientist who has no connections with the government. ("Stifling *The Progressive*," May 14, 1979.) If this were seriously a "reform" code, Kennedy could have worked to square the Atomic Energy Act with the First Amendment.

Similarly, in the section of his bill criminalizing "obscenity," Kennedy chose to codify language that savages the First Amendment. Here again, as in the earlier S.1437, the senior senator from Massachusetts has based obscenity prosecutions on "local community standards." Accordingly, a writer, publisher, film maker, actor, or distributor can be tried for "obscenity" in a community that has much harsher "standards" of criminal obscenity than a town or city in the next state or across the country. The result is that the First Amendment will have one meaning in San Francisco and an entirely different meaning in Memphis. Moreover, because of the huge expense of defending such prosecutions, the American Civil Liberties Union has warned that in time, "the strictest local view of what 'appeals to the prurient' interest would effectively determine the content of nationally distributed books, magazines, newspapers, and films."

ASIDE FROM ITS CONTEMPT for the First Amendment, S.1722 shows acute distaste for other individual liberties. Take the slippery "conspiracy" doctrine, the prosecutor's favorite tool. Despite intense opposition by civil liberties groups, Kennedy insisted on codifying into federal law—for the first time—the "Pinkerton doctrine," which, the National Committee against Repressive Legislation notes, "makes a co-conspirator guilty of *all* the crimes committed as a result of the conspiracy, even if those crimes had not been agreed to and even if that conspirator was not involved in them."

This approach to criminal "justice" would seem more in keeping with the tenets of Czechoslovakia or Uruguay than of these United States.

Not surprisingly, Kennedy's code did not reform present laws that permit the government to act as if the Fourth Amendment were only a vestigial part of the Bill of Rights. Electronic surveillance and eavesdropping are not in the least curbed by S.1722, and indeed, Big Brother's agents get a new boost from the bill. Under a section titled "Obstructing a Government Function by Fraud," you can be charged with a federal crime if you discover that the FBI is spying on you and you elude that surveillance. (A good citizen is a docile citizen and must cooperate with all surveillance directed against him.) Similarly, under the same section, if you find that the FBI has put a wiretap on your phone, you had better leave it there because if you remove it, *that* "obstruction" of government functioning is now also a federal crime.

This baleful Criminal Code Reform Act of 1980 will probably have passed the Senate by the time you read this. The only chance to stop it, therefore, will be in the House. There, the former civil libertarian Robert Drinan of Massachusetts has been shepherding a companion measure (H.R. 6233). As chairman of the Subcommittee on Criminal Justice, Drinan has been trying to make his bill somewhat less destructive of individual liberties than Kennedy's—hoping that in subsequent House-Senate conference he can prevent excessive damage to the Bill of Rights.

Under pressure from conservatives on the House subcommittee, however, Drinan's code has increasingly come to resemble Kennedy's. He fought, for instance, to ward off the "local standards" criteria for obscenity prosecutions, but failed. H.R. 6233's next stop is the Judiciary Committee (of which the Subcommittee on Criminal Justice is an extension). There, such keen civil libertarians as Holtzman, Don Edwards (D-Calif.), John Conyers (D-Mich.), and Robert Kastenmeier (D-Wis.) intend to festoon the Drinan bill with so many amendments that the resultant time-consum-

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ing debates may prevent H.R. 6233 from reaching the House floor this term. Members of the House get very restive about staying in Washington too long during election years.

IF THE OPPOSITION ON THE Judiciary Committee does not succeed in bottling up the Drinan bill, there is ample reason to believe that it will be made even more repressive on the House floor, that body as a whole being more careless of the Bill of Rights than the Senate. Ultimately, then, a House-Senate conference would try to fuse the Kennedy and Drinan bills. The result might be more offensive to civil liberties than even S.1722.

Nonetheless, the ACLU, the National Committee against Repressive Legislation, and Bill of Rights fans like Liz Holtzman believe that it may still be possible to kill this criminal code, adding it to the graveyard of aborted previous attempts. Because this is an election year, they counsel, representatives may shy away from the code if it proves too controversial. This is particularly true of Peter Rodino, chairman of the House Judiciary Committee and a legislator known for his desire to avoid strife whenever possible. Therefore, if sizable amounts of mail reach members of the House, particularly Rodino, and if delegations of citizens descend on members of Congress, this furor—combined with delaying tactics by civil libertarians on the Judiciary Committee—could keep the bill from reaching a vote on the House floor.

Privately, the Kennedy aide most involved with the drafting of the 1980 Criminal Code Reform Act agrees with this assessment. "We've tried to keep it quiet," he told me, "but if you folks do succeed in stirring up a fuss, that could be the ball game."

If the code *is* stopped, it is unlikely that Kennedy or anyone else will try again to push through an omnibus, all-at-once, "reform" of all the federal criminal laws. A much less dangerous alternative is then open—incremental rather than omnibus reform. As Liz Holtzman and other defenders of the Constitution have been maintaining for some time, the best way to safeguard individual liberties is to deal with significant problems of federal criminal law individually—one step at a time.

Surely, by this point, with the grotesque Grandson of S.1 before us, that lesson may finally have been learned. Provided we can first kill S.1722 and save the Bill of Rights. ❑

POLITICS

BARRY LYNN

Carter's conscription prescription

IN THE MIDDLE OF THE afternoon on the day of President Carter's State of the Union message, Selective Service System officials still claimed that they didn't know if the President would be cranking the system up. Early versions of the speech contained no word about the draft. Democratic House whip John Brademas of Indiana had a breakfast briefing with Carter and told reporters afterward that it would be "news to him" if the draft was discussed in the speech, since it was never even mentioned at breakfast.

Carter had apparently been mulling over for days a session he had had a few weeks earlier wherein notable Vietnam War architects like Eugene Rostow and George Ball had recommended draft registration as a healthy "sign" to the Soviets of our national resolve. Although noncommittal at the meeting, Carter was finally persuaded on the day of the speech during a session with Zbigniew Brzezinski.

For some days Carter also had had before him a report by new Selective Service Director Dr. Bernard Rostker reportedly outlining three options: registration only after an emergency mobilization, post office registration immediately, and a "faceless" computerized registration using names from high school and tax records. Rostker, along with some senior civilian Defense Department officials and the President's few remaining left-of-center political advisers, had recommended that no registration steps be taken until after the election.

Nevertheless, Carter's belligerent State of the Union message contained this declaration: "I hope that it will not be necessary to impose the draft. However, we must be prepared for that possibility. For this reason I have determined that the Selective Service System must now be revitalized. I will send legislation and budget proposals to the Congress next month so that we can begin registration and then meet future mobilization needs rapidly if they arise." This call for someone else's sacrifice was received with warm Congressional applause. The network cameras focused on leading prodraft Senator Sam Nunn (D-Ga.), who literally licked his lips at the prospect, rather like the Big Bad Wolf after blowing down the first pig's straw hut.

The Selective Service director's role in the current draft revival is notable and shows what we may expect of him in the future. Bernard Rostker is a 35-year-old economist and defense manpower specialist. Even before his confirmation as director, he withdrew a job offer to a

Washington lawyer to serve as Selective Service general counsel because Senator Nunn, egged on by remaining state and local draft board members who want their power returned, disapproved of a book the lawyer had written that was modestly critical of the Vietnam War. Rostker's next choice for counsel lasted only five days. That man quit when he realized that Rostker had only a limited interest in making the system legally fairer to registrants.

Over the past two months, Rostker had developed a plan that required no registration until after an emergency mobilization actually occurred. It was a cheaper and less intrusive plan than pre-emergency registration. Rostker maintained privately that his proposal was more "defensible" and "credible" than what had been planned by his predecessor. In other words, he could defend it before Senator Nunn.

Rostker was well aware that in World Wars I and II single-day registration had occurred without computers and had netted 13 million and 16 million men

BARRY LYNN, legislative counsel for the Office for Church in Society of the United Church of Christ, has been active in the campaign against the draft.

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TV cameras focused on Senator Nunn, who literally licked his lips at the prospect of a new draft.

respectively. He was also aware that in 1978 the Congressional Budget Office had calculated that preregistration merely allowed inductions to begin thirteen days sooner; no one maintains that this time span is relevant to military planning in the 1980s. But Rostker has no ideological or moral objections to peacetime conscription, and the day after the President's message he was on radio promoting the notion that it was "the patriotic responsibility" of all young people to register.

*WHEN THE HOUSE RE-*jected draft registration last September by a vote of 252 to 163, it mandated that Carter make a report to Congress on possible reinstitution of registration, women and the draft, national service, and a host of related issues. Congressional critics of registration now fear that by the time the President's report to Congress is issued, it will be sanitized so that the only credible solution will be the one Carter chooses. Already, copies of the original version of the report have been confiscated from low level administration staff and destroyed.

The very day after the speech, all administration officials were being told to stress the fact that it would take "many months" before registration would be put into effect. It is interesting to note that if the "many months" should number more than ten, registration will begin after November 4, 1980—Election Day.

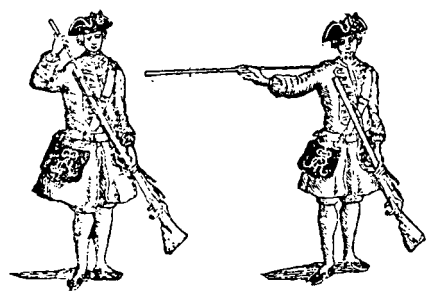
Congressional reaction to Carter's speech was quick and favorable; after all, Congress is well aware that the President does not need new legislation (only money) to start registration; he already has the necessary authority under the never-repealed Military Selective Service Act. He has actually helped Congress avoid a clear vote on the draft in this election year, since appropriations votes are notoriously ambiguous, and their implications are not always obvious to voters.

A few senators stood out from the herd. Senator Mark Hatfield (R-Ore.) warned that "hysterical voices" were calling for registration, which "threatens to hold hostage the freedoms of millions of young men and provide a limitless manpower pool for any president willing to send American boys half a world away to fight in yet another war." Conservative Senator William Armstrong (R-Colo.) and liberal Senator George McGovern (D-S.D.) expressed similar sentiments.

*THE LEADING PRESIDEN-*tial candidates were not entirely supportive of Carter's proposal. Ronald Reagan correctly noted that registration is of little military significance and that it would merely "create another massive bureaucracy." Edward Kennedy made opposition to registration one cornerstone of his much publicized "Counter–State of the Union" speech at Georgetown University. Predictably, Howard Baker, George Bush, and John Connally were for it.

Carter issued his final legislative and budget recommendations early in February, as part of a report to Congress. He asked for supplemental funding of $20.5 million for a 1980 registration, and he wants $24.5 million more to continue the program in 1981. It is quite possible that the congressional appropriations committees, eager to escape notice, will try to avoid public hearings on the subject.

The most dramatic change proposed



in the present draft law is the registration of women, which Congress is unlikely to approve. It can support more funding for Selective Service without considering substantive changes in the law. Should the militaristic armed services committees suggest any changes, proposed revisions would give draft opponents an opportunity to present a ceaseless array of floor amendments.

And last fall congressmen like Tom Harkin (D-Iowa), William Clay (D-Mo.), and Peter Kostmayer (D-Penn.) drafted hundreds of intriguing amendments to be offered if registration were to pass. These included registering only "boat people"; establishing draft quotas for Unification Church members and Scientologists; and insisting that all members of Congress who voted for registration be required to eat at the same table in the House cafeteria. In 1971 the Senate floor once spent seven weeks rewriting the Selective Service Act. The debate went on for so long that induction authority temporarily expired, wreaking havoc on the conscription process for the rest of the Vietnam era.

Other legislative battles do seem likely this year, even if the Selective Service Act is not amended. Attempts may be made to delete provisions penalizing draft resistance from the massive rewrite of the federal criminal code expected to be considered in both houses this spring. An amendment could be added to the Justice Department's money authorization bill prohibiting use of federal funds to locate or prosecute nonregistrants.

Congress will be particularly reluctant to consider the myriad foreign policy implications of Carter's registration move. However, a $20.5 million vote for registration clearly has all the earmarks of a Gulf of Tonkin resolution: tacit approval of a military commitment. The President has made a unilateral move to defend, by any means necessary, the Persian Gulf area. Congress was not consulted. It may feel relieved, however, and thus be happy to acquiesce. The White House released a question and answer sheet on registration; the response to the question, "Why is the President taking this step at this time?" was, "That was implicit in the tone of the 'State of the Union Address.'" The answer could not be clearer: Carter wants registration so he can back up his verbal commitment to the Persian Gulf countries now corralled (whether they like it or not) into our "sphere of friendship."

It is naive to suppose that a President can make vast promises of military sup-

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port to a new region and not need more personnel. Carter chose not to consider redeploying our dubiously useful troops in the western Pacific, or shifting some of the regiments sitting in West Germany, or activating homebound reserve units. He took no steps toward improving the pay, benefits, or living conditions of those who volunteer to serve. Therefore, like someone in a comic strip who has painted himself into a corner, Carter has to paint a door on the wall—in this case, the draft—in order to get out. Anyone who believes that registration is not linked directly to the draft has only to look at Carter's proposed budget. Every year since the end of the Vietnam War, Selective Service appropriations have contained the prohibition: "None of the funds . . . may be expended for or in connection with the induction of any person into the Armed Forces of the United States." This year Carter wants the phrase deleted.

The case of Marjorie Holt of Maryland, the ranking Republican on the Military Personnel Subcommittee, also illustrates how easily being proregistration can slip into being prodraft. On January 28 Holt told me on a Washington television show that I was "unfair" in telling the public that registration and the draft were essentially the same. Although she thought registration was crucial, Holt said, she certainly did not support the draft. The very next day she cosponsored legislation to induct up to 200,000 men into the ready reserves.

Canada has changed its immigration laws; American draft resisters may no longer be welcome.

In the world outside of Washington, initial response to registration was predominantly as favorable as it was in the Congress. One UCLA student "leader" told a gathering, "I do not mind going out to shoot Russians," and laughter and cheers followed. Networks reported that 70 percent of the college-age response was proregistration. Many students seemed initially incapable of connecting registration with the draft itself, which they nearly unanimously opposed. Making that connection clear is a key goal of the National Teach-In Project of the United States Student Association, directed by Jack Calhoun, former deserter and editor of *Amex-Canada* magazine.

HOWEVER, BY THE DAY after the speech, antidraft groups began to be visible. Within less than a week, rallies against the draft were organized at Pennsylvania State University, New York University, Harvard, Columbia, and dozens of other campuses. A candlelight vigil in Boston drew several hundred demonstrators. A giant draft card mock-up was burned at Stanford. Even the White

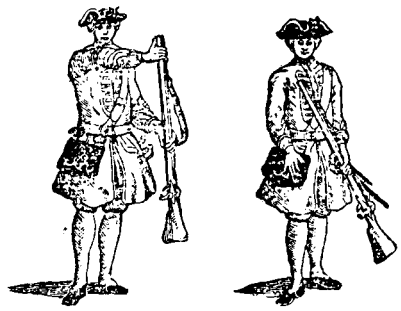
House saw its first antidraft picket line. Some student groups were even more militant. Students everywhere, from Missoula, Montana, to Richmond, Virginia, have already announced their intent to refuse to register and to counsel others to similar action. It is particularly ironic that President Carter, whose first official act was the pardon of the resisters to the last draft, may end his first (and perhaps only) term by prosecuting and jailing young resisters to his new draft machinery.

The Committee Against Registration and the Draft (CARD) began receiving calls from parents and youths seeking information on how to get asylum in Canada. CARD Director Duane Shank points out that "given the change in Canadian immigration laws in 1973, this may not be a possibility this time around."

Jody Powell felt compelled to issue an official statement that the administration didn't anticipate any serious resistance to registration. Powell apparently had missed a minor item on the Associated Press wire a few hours earlier. Seven out of fifty antidraft demonstrators at the Pittsburgh Federal Building had just been arrested, including Molly Rush, a woman with six children, who may well become the Rosa Parks of the antidraft movement of the eighties.

Even minor noncompliance would cause severe difficulties. If Carter begins registering men 18 to 26 years old—as he is authorized to do—and if only one out of a hundred fails to respond, the United States will find itself with more draft felons—160,000—than any other type of federal prisoner. (In fact, Carter's recommendation to Congress was that only 19-to-20–year-olds be registered at first, with registration of all young people as they turn 18 to begin next January 1. The explanation given is that registering the entire 18-to-26–year-old group would create a draft pool greater than foreseeable mobilization needs. But Selective Service planners may also feel that there will be less resistance among the younger group.) Rostker told me he did not know what punishment would be meted out but, "We cannot just fine them. That would be like buying your way out of military service." At present, the penalty for nonregistration stands at up to five years in prison and a $10,000 fine. Tom Alder, the nation's top legal expert on selective service, notes that "a national decision on prosecutorial policy must be made, or there will be no consistency to enforcement."

To prevent examination of the questionable foreign policy and the debatable assumptions about manpower needs that lay behind the registration decision, the White House wisely sidetracked reporters with the "women and registration" question. The press corps, kept busy with such problems as whether women would fit in XM-1 tanks, didn't have much time for the serious issues. A week after the State of the Union address, a group of fifteen feminist



organizations held a press conference to announce opposition to the drafting of anyone and to criticize the press's inattention to weightier policy decisions than the conscription of females.

*THE CRISIS IN THE PER*sian Gulf region came at the most favorable time for prodraft forces. Although opponents of the All Volunteer Force were still grousing about the IQ, color, and discipline of

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recruits, some of their better arguments were eroding. Last year, 4000 more new recruits were attracted for active service than in 1978, and the first term reenlistment rate was the highest ever. (A "shortfall" was still reported, of course, since the 1979 goals were higher than those in 1978.)

The big problem was that after one reenlistment, older, skilled personnel were saying "no more" and shipping out to private industry, where pay can be five times higher than in the military. This fact led Admiral Thomas Hayward, Chief of Naval Operations, to come out against the draft several years ago: "If I retained 4000 more mid-grade petty officers, that's 20,000 recruits" who would not have to be trained to take their places each year. There is no draft of 18-year-olds that will find technical electronics engineers or doctors.

The Selected Reserve and National

Guard increased by 19,400 in 1979. Additionally, Congress finally agreed to scrap 345 army units filled with military historians, dog handlers, and others whose military usefulness is limited to wars of the fourteenth century, thus further reducing purported "needs." Management efforts also led to an increase of over 25,000 in the Individual Ready Reserve, the battlefield casualty replacement units. The Iranian situation even caused a real enlistment upsurge from October to December, with 18,000 more army recruits than in the comparable period last year.

The real test of the viability of registration as a lynchpin of the Carter Doctrine will only come on Registration Day. If the high schools and colleges empty out while young conservatives and punk-rock fans line up together at post offices, Senator Nunn can continue gloating and move ahead with his plans for the military draft and national service. If the young yawn and "forget" about their duty, all the pious administration rhetoric about "patriotism" and "responsibility" will be useless, and Carter will face the biggest political crisis of his tenure.

CORPORATE STATE

BRUCE BARTLETT

Return of the war economy

IMMEDIATELY AFTER THE Russians invaded Afghanistan there was a steep jump in the price of defense stocks. *Business Week* ran a special report on the "New Cold War Economy" telling investors how to cash in. Elsewhere, Wall Street analyst Richard Hoey said that increased military spending would be a "bullish" development for the stock market, and Lawrence Chimerine, chairman of Chase Econometrics, said that during the next two years military spending will "help the economy" and make it more "robust." The *Washington Post*'s Pentagon correspondent, George Wilson, summed the situation up, saying, "In short, very good times indeed are just around the corner for many defense contractors, large and small, if Carter's new plans are approved by Congress."

Already General Telephone and Electronics and Westinghouse Electric are taking on new employees and building up inventories in anticipation of new contracts. In conjunction with what President Carter's science adviser, Dr. Frank Press, calls a "dedicated effort to re-cement the relations" between the military and academic institutions, colleges are eagerly looking forward to a proposed 25 percent increase in the Defense Department's support for academic research.

The crises in Iran and Afghanistan have created a new consensus on defense expenditures. During the last ten years the defense budget has declined in both real terms (adjusted for inflation) and as a percentage of the GNP. The President and the Congress—liberals and conservatives alike—now agree that Pentagon spending should grow at least 5 percent in real terms for at least the next several years. The cost of increasing the budget by such a magnitude, however, will be higher inflation, higher taxes, slower economic growth, continued budget deficits, and expansion of the public sector.

For years liberals were happy to cut the defense budget in real terms. This economizing helped ease their consciences for having instigated the Vietnam War and gave them more money to put into housing subsidies, food stamps, welfare, and other programs. But years of chronic budget deficits, rising taxes, and inflation inspired conservatives to fight back. Two indications of this new conservative strength are the tax revolt and the balanced budget movement; another is the fact that the presidential candidacy of the preeminent liberal, Senator Edward Kennedy, can't seem to get off the ground.

Faced with the horrifying prospect of a balanced federal budget, smart liberals are jumping on the defense bandwagon, knowing full well that as much as conservatives want to balance the budget and cut taxes, they want to increase defense spending even more.

The conservatives' love affair with big defense budgets is a long-standing one, and they have always been willing to look the other way at overall budget deficits when promised more money for the military. The insights of muckraking

If promised more money for the military, conservatives look the other way at overall budget deficits.

New Republic columnist John T. Flynn in 1939 are still valid today. He found that among conservative groups, there was "a growing feeling" against using deficit financing for recovery or relief purposes; at the same time there was "a very strong feeling" in favor of defense spending "despite the fact that it must be done with borrowed funds."

Flynn said that deficit financing has two objectives: "to meet the expenditures of the government without resort to taxes" and "by the very process of borrowing, to flood the economic system with purchasing power." He went on to

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New spending plans for military hardware

Weapon	Prime contractor(s)	Contract value (in millions of dollars) fiscal 1980	fiscal 1981
Missiles			
Trident missiles & construction facilities	Lockheed	$ 808.3	$ 899.8
Trident II missile research	Lockheed	25.6	36.4
MX	Martin Marietta, Boeing	832.4	1570.0
Air-launched cruise missile	General Dynamics or Boeing	475.4	745.8
Sea-launched cruise missile	General Dynamics	133.4	205.6
Ground-launched cruise missile	General Dynamics, McDonnell Douglas	69.1	187.8
Aircraft			
F-16 fighter	General Dynamics	1680.0	1920.0
Sentry Radar plane	Boeing	622.0	703.9
F-18 fighter	McDonnell Douglas, Northrup	1430.0	1750.0
F-14 fighter	Grumman	792.1	804.0
Vehicles			
XM-1 tank	Chrysler	769.2	1150.0
XM-2 armored personnel carrier	FMC	262.0	538.4
Ships			
AEGIS cruiser	Litton, RCA	827.1	1630.0

note that conservative groups have never much cared for the latter reason unless—as is the case with army and navy appropriations—they see the expenditures as desirable in themselves. But spending money freely on the military "works in favor of continued borrowing, which is the thing [Roosevelt] is interested in. If the conservative objectors to deficits do not like the WPA, very well, he will . . . create an industry for them: the armament industry, which henceforth is to become one of the props of our national economy."

*FOR THEIR PART, LIB-*erals have always appeared to be more concerned with expanding the public sector and using the tax money to aid their constituencies than with restraining the military-industrial complex or opposing war. This is because war often serves their purposes—by expanding the size of government and justifying large increases in taxation. For example, federal income tax rates roughly quadrupled during World War II, and these rates remained essentially in effect until the mid-1960s. (The tax rate for someone earning $10,000 per year was 11 percent in 1939, 41 percent in 1945, and 38 percent in 1963, despite the fact that prices had almost doubled in the interim.)

Thus, as economic historian Jonathan R. T. Hughes has noted in his book, *The Governmental Habit*, federal spending has expanded mainly in a few short wartime bursts rather than growing steadily along with the population and the GNP. After each war new claims for interest payments and veterans' benefits, as well as an actual increase in government costs, soaked up the budget surplus created by the end of hostilities. Government outlays declined much less after World War II than after World War I; after the Korean War they went down by just a fraction; and when the Vietnam War ended there was no reduction whatsoever.

Furthermore, the tax systems imposed during wartime ensured that government revenues would grow rapidly in the future, as both inflation and real economic growth pushed people into higher tax brackets. This automatic revenue growth allowed increased expenditures that appeared to be costless, since they did not require explicit tax increases. Hughes, therefore, finds it no surprise that federal expenditures have increased eight times as fast as the GNP since 1940. These large revenues encourage bold new spending. At the same time, there is no "politically viable major alternative" to military procurement that could "sop up the flood of tax money that automatically pours into the Treasury each year." The military-industrial complex is thus in part the result of the permanent installation of the pay-as-you-earn income tax of 1943.

In effect, liberals and conservatives have been partners in the growth of government all along. The liberals got their social spending, and the conservatives got their defense spending. As a result, we all got high taxes and inflation. Of course, the conservatives were the foremost hypocrites in this business, because they had always pretended to be for lower taxes and less spending. But every time they came close to success, the liberals threatened cuts in defense spending. Thus the conservatives acquiesced in the very system they claim to abhor. As Anthony Lewis put it in the *New York Times* recently, "What the Republicans fail to notice, in their military fervor, is the impact of such policy on their vision of limited government. The Cold War and the growth of an enormous military establishment in this country have been the most significant causes, by far, of the centralization of political and economic power in Washington."

Nevertheless, many conservatives are openly calling for a return to the Cold War, as Reagan adviser Richard Whalen recently did in the *Washington Post*. They often do not realize that by espousing such a position they are helping the liberals escape the inflation/tax revolt/balanced budget dilemma; the conservatives will have to give up a balanced budget and tax cuts to obtain increased defense spending. President Carter's top economic advisers—Treasury Secretary G. William Miller, Budget Director James McIntyre, and Charles Schultze, chairman of the Council of Economic Advisers—claimed before the Senate Budget Committee in late January that the need to increase military spending, together with the forecast of a mild recession, prevented them from producing a balanced budget for fiscal 1981. Carter is also on record as opposing a tax cut in 1980, despite a $40 billion increase in the

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real tax burden on individuals and businesses; he favors allowing taxes as a percent of the GNP to rise to the highest level since 1944. Most congressional observers agree that the chances of Congress approving a tax cut this year are only 50–50 and that if any tax cut is approved, it will be small.

We should give up the idea that throwing money at the Pentagon will ensure national security.

FEAR OF INFLATION IS A major reason why tax cuts are unlikely. Yet the projected boost in Pentagon spending is likely to make things worse, rather than better. Up until recently, it was generally believed that defense spending affected the economy no differently than any other kind of government spending. Now many question this assumption, arguing that military spending weakens the economy and fuels stagflation. Seymour Melman, professor of industrial engineering at Columbia University, has been most responsible for developing this view—in *Pentagon Capitalism*, in *The Permanent War Economy*, and elsewhere.

According to Melman, defense spending is unlike other government spending because it produces goods and services that are useful neither for improving the standard of living nor for aiding further production. In other words, it produces "parasitic growth," which costs society more than just the money value of the materials, man-hours, and machinery used up for military products. As much as half of all research and development expenditure in the United States is now oriented toward military production; as a result, a vast proportion of our nation's engineering and scientific research has been skewed away from such mundane concerns as cost controls and manufacturing efficiency. Instead, it is directed toward the kind of esoteric "state of the art" research required by sophisticated weapons and space programs. This represents an "opportunity cost" in terms of lost jobs and lost opportunities for civilian technological development.

Another source of economic imbalance is the volatile nature of defense spending and the inability to convert most military production facilities to civilian use. If the politics of the moment call for a big surge in defense requirements for, say, jet fighters, some company will build huge facilities for producing such aircraft, usually under a strict deadline and on a cost-plus basis. The aircraft manufacturer will then quickly bid up the price of engineers, equipment, and building materials, which inevitably affects manufacturers in other industries as well. (Defense industry leaders like David S. Lewis, the chairman of General Dynamics, are already talking about the need for rationing resources and giving priority to requests from the armaments industry for materials.) After the contract has been fulfilled, the company will be left with production facilities generally unusable for other purposes, so it will press the Defense Department for a new contract or funds to keep the production line in operation. The Defense Department, realizing it may need these facilities in the future, in turn will pay the manufacturers to keep them operating and will stage design competitions and complex bidding games in order to give the appearance that something other than an outright subsidy is involved.

GIVEN SUCH A PROCUREment system and the rapidly rising costs of major weapons systems—$2 billion for a Nimitz nuclear aircraft carrier or a Trident submarine, and $25 million for one jet fighter—it was inevitable that a few large firms would come to keep most defense production in their own hands. In earlier years defense spending tended to be more evenly spread throughout the economy, and individual firms were not as dependent upon government contracts for survival as they are today. Consequently, today's defense contractors have a much more powerful vested interest in promoting and lobbying for increased defense spending. (It is no coincidence that Senator Henry "Scoop" Jackson, the Democratic party's biggest defense "hawk," is sometimes referred to as the "senator from Boeing.")

To make the defense budget reasonable, we must do two things. First, we have to put a cap on total government spending, perhaps by passing a constitutional amendment requiring a balanced federal budget, which will force lawmakers to judge between defense and nondefense expenditures according to their social value. Second, we must be more consistent and logical in our approach to defense strategy, as opposed to defense spending. We should give up the idea that throwing money at the Defense Department automatically solves its problems and ensures national security. Conservatives who for years have pointed out that there is no correlation between social welfare and social spending do not seem to understand that the same holds true for national defense and defense expenditures.

It may well be that pumping up the defense budget will buy reelection for Jimmy Carter. And it will certainly make companies like Boeing, General Dynamics, and Chrysler fatter and happier than they are already. But for the American people, the price is certain to be too high. ❏

NEXT IN
INQUIRY

NOAM CHOMSKY
on Kissinger's memoirs

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The Soviet Threat: How Real?

By GEORGE F. KENNAN

The Russians are camped in Afghanistan and war cries echo through Washington. American leaders excitedly talk of rapid deployment forces and first strikes with tactical nukes. But is the new wave of anti-Soviet hysteria justified? A former U.S. ambassador to the Soviet Union examines Russian activity since World War II and answers: No.

THE STALIN REGIME WITH WHICH the Western powers found themselves confronted at the close of World War II was a profoundly vicious, cynical, and unreliable regime, hostile to all forces it did not control, including Western Europe and the United States, and devoid of any sense of responsibility for the preservation of Western civilization. It would greatly have liked to bring about the exclusion of the United States from all presence and authority in Western Europe and to have kept the European peoples in such a state of weakness, fear, and bewilderment that they would be easy victims to a dominant Soviet influence. It was not, however, by a military attack on Western Europe that Stalin intended to promote these aims, nor did he see the issues as being ultimately resolvable by outright military conflict. There were a number of compelling reasons, beyond the state of exhaustion in which Russia then found itself, for this forbearance. It was rather by political means, by the exploitation of the general state of insecurity which then characterized the Western European peoples and by the use of subservient minorities in the respective countries—in other words by penetration, subversion, and intimidation, not excluding the use of indigenous force in civil struggle—that these aims were to be promoted.

The best answer to such a challenge was of course the Marshall Plan, with its emphasis on the recovery of economic vitality and self-confidence on the part of the Western European peoples. This, more than anything else, would have disarmed, and did partially disarm, those Stalinist tactics that were dangerous to Western Europe. But the Marshall Plan was not permitted to realize in full its political potentialities. Scarcely had it been proposed than the Western European statesmen began pressing Washington to join with them in some sort of military alliance, obviously designed for protection against the Soviet Union—an undertaking bound to detract both attention and resources from the Marshall Plan effort and to lead the European public to the assumption that the greatest danger was that of a Soviet attack. *La manie d'invasion,* in other words, had begun to take over. This was, of course, the beginning of NATO.

I do not mean to say that there was no reason for some sort of an effort to restore and improve Western defenses. Had the effort been quietly put forward, had one been able to avoid the exaggerations of Soviet military strength and the distortion of Soviet motives that accompanied it, and had one been able to carry the program to completion in such a way as not to prejudice the chances for an eventual negotiation of a peaceful removal of the split of the European continent, there would have been much to be said for it.

But none of this was the case. And in this way there was laid the foundation for that militarization of thinking about the East-West conflict which has not only endured to the present day but has steadily increased in authority as an influence over the reactions and actions of Western statesmanship.

The harm done by this distortion of understanding was doubled by the emergence of the conviction that without American nuclear support Western Europe would be quite unable to defend itself against the supposed Soviet conventional threat. This was true, of course, only to the extent that the Western Europeans lacked the will and the unity to develop their own conventional forces. The resources, economic and demographic, necessary to such an effort were never lacking. The resulting decision to base the defenses of Western Europe primarily on American nuclear weaponry not only sowed the seeds of future discord among the Western powers

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but laid the foundation for a nuclear arms race bound to promote the proliferation of nuclear weapons and to complicate many-fold the difficulty of achieving any sort of control and reduction of world armaments.

So much for the Stalin period. Now, for the ensuing ones.

Khrushchev was a crude parvenu—boastful, obstreperous, and heavy-handed. But he differed from Stalin in that he was neither sadistic (just rough) nor pathologically suspicious, and above all in the fact that he was not, at heart, a cynic. He believed in the usefulness of communication—even with one's ideological enemies. He wanted to see Russia's military power respected and sometimes went too far in his efforts to achieve this desire, but he did not want to see it used in a major war. No more than Stalin did he envisage such a war as a suitable means for achieving the objectives of Soviet statesmanship.

The Brezhnev regime, colorless, bureaucratic, and conservative, wanted war even less than its predecessors did.

It was possible for the Western governments, given some patience and understanding on their part, to do a certain amount of useful business with him; and indeed they did some—witness the Austrian and Trieste settlements. They could have done more, had they been a bit bolder and less committed to military fixations. But here again, military considerations (in this case, the desire for military intelligence) were permitted to prevail over political possibilities. The result was the U-2 episode (a typical product of the prevailing distortion of priorities)—an event which marked the beginning of the end of Khrushchev's career, gave an important fillip to the prestige and authority of the Soviet High Command, and served greatly to encourage on the Soviet side the same sort of overmilitarization of thinking that by now characterized the Western one.

THE BREZHNEV REGIME, COLORLESS, bureaucratic, and essentially conservative, had no more reason than did its predecessors to wish for a war with the West—even less, in fact, in view of its relations with China. It was too unimaginative and too conservative to press for the sort of deals and accommodations with the West that interested Khrushchev, but the last thing it wanted was a major war. For various reasons, its policies and concerns were more internally directed than those of its predecessors. By the late 1960s, after all, the dream of world revolution under Leninist-Marxist auspices had lost every trace of reality.

Serious long-term problems were making themselves felt in Soviet society. The Kremlin was now on the defensive, politically and economically; and it was characteristic of the deepening militarization of thought on both sides that the Brezhnev regime saw no better means of defending itself externally than the increased cultivation of military power, the tightening of military control over Eastern Europe (notably, in Czechoslovakia), and the bribing of small foreign regimes, wherever possible, by arms shipments and military technicians, *à l'américaine*—a far cry from the ideological approaches of earlier decades.

Aside from these defensive reactions, however, the Brezhnev regime had reason to wish for a closer relationship with the high-technology countries of the West, primarily the United States, in the nonmilitary and partially nonpolitical fields of trade and cultural exchange. And once the Vietnam folly had been liquidated, Nixon and Kissinger had the insight and the boldness to take advantage of this, albeit in their own overdramatic way. The result was not only the first SALT agreement, but some twenty-two other agreements affecting Soviet-American cultural and scientific relations.

A number of these agreements proved useful (and increasingly so, as the Russians got used to them) in the immediate and practical sense that was of primary interest to the American participants. But they had a deeper usefulness, seldom noticed on the Western side—as agencies for promoting greater maturity, relaxation, and breadth of vision within Soviet society. They were greatly (if silently) welcomed by many members of the Soviet hierarchy who wanted a more reassuring and productive development of East-West relations.

The United States had only to proceed along the path marked out by the Nixon-Kissinger partnership, while at the same time *acting* to improve Western military defenses but not *talking* too much about it, and it could have placed itself in an unspoken alliance with those forces within Russian society that wished for the overcoming of the Cold War and the inauguration of a new, less sterile, and less dangerous sort of relationship between Russia and the West.

But this was not to be. No sooner had Nixon been eliminated from the American political scene than there began a violent outpouring of Cold War rhetoric in the political establishment and in the press, accompanied by fulsome exaggerations of both Soviet military strength and Soviet political successes in other parts of the world. This hysteria has continued, steadily increasing in intensity, down to the present day; and it has had grave consequences.

It knocked out the Soviet-American trade agreement in 1974 and barred further progress in relations at the commercial level. It has now begun to interfere extensively with cultural relations. It threatens to prevent ratification of the new SALT agreement. And it has been accompanied by a veritable orgy of inflammatory oratory—of calls for "determination," for military gestures, for further armaments, for alliance with China against the Soviet Union, for military-political showdowns of one sort or another: a wave of emotionalism which takes no account of the implications of nuclear weaponry or the energy situation, which ignores all the lessons of the past, and which obviously looks to the force of arms to revive and to realize the dream of a universal *pax americana*.

The origins of this reaction are ones that will interest the historians, if any historians survive to examine them. The Nixon-Kissinger détente obviously frustrated a great many people. It frustrated politicians who felt themselves deprived of the opportunities for chauvinistic exhibitionism to which so many of them are addicted. It frustrated military people and ones connected with the military-industrial complex, who saw no way of preserving and increasing the high level of military expenditures but by intensifying the image of the Soviet Union as a military and political threat to the United States.

And these were now joined (this was very important) for the first time by many of the intellectuals, particularly those of

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Russian origin, who occupy such a prominent place in the leading press organs and the media of electronic communication. These latter had once been, for the most part, liberals, inclined to distance themselves from the impulses of American chauvinism. Since the 1973 war in the Middle East, however, for reasons obscure to me, they have become the most rabid of hardliners on questions of Soviet-American relations.

I find myself unable to accept the reasons commonly offered to justify this wave of alarmism.

The main one of these is the alleged menacing growth of Soviet military capabilities—a growth greater, we are told, than defensive considerations could alone justify, and thus indicative of aggressive intentions. I have the deepest doubts about this thesis. The image it reflects of the Soviet leadership—its nature, its concerns, its situation—is distorted and unreal. And the figures used to support it are in many instances tendentious and misleading.

The allegations about the superiority of Soviet conventional forces in Europe are usually based on calculations that include satellite forces which, in reality, would be of no serious value for offensive purposes. These allegations conceal the fact that the relationship between the forces that really count (the American, Soviet, and German forces in and around Germany) has actually improved considerably, from the Western standpoint, over what it was ten years ago—or even twenty. The problem presented for the Soviet Union by the military rivalry with China and its relation to the balance in conventional weaponry is consistently underplayed as a factor in Soviet armament policies.

The fancy arithmetical calculations about long-range nuclear missiles that enter so prominently into the SALT debate deal with quantities of overkill on both sides so preposterous that relative numerical criteria have little real meaning. The comparisons of military expenditure that underlie most of these alarmist statements are based on a means of calculation so obviously specious as to approach direct dishonesty.

Naval comparisons, similarly, are generally drawn up in terms of the number of "ships"—a wholly meaningless quantity. They usually compare Soviet naval strength with that of the United States alone, ignoring the fact that the United States has important naval allies, whereas the Soviet Union has none, and ignore the wholly disparate geographic realities with which Soviet and American naval strategists have to contend. I could continue these examples but see no need to.

The United States has had serious enough problems in its dealings with the USSR without adding fictitious ones.

I have no doubt that the conventional NATO defenses need *improvement in a number of respects. I have no objections to* such improvement. I hope it will be carried to completion. But to argue for it by painting on the wall a distorted image of the nature of Soviet power and of Soviet defense policy seems to me highly irresponsible and dangerous. We have serious problems enough in our relations with the USSR without creating fictitious ones.

I can muster no greater respect for most of the talk about recent gains of Soviet imperialism in the Third World. In many instances, the people who raise these charges studiously ignore the distinction between the use of Soviet forces and the use of puppet ones. But beyond that: Have people *no* historical memory? What has become of the supposed Soviet gains of this nature of earlier years—with the warnings of which we were once being constantly bombarded? Where, today, are the "puppet states" of Yugoslavia and China? What has become of the "unshakable friendship" between the Soviet Union and Egypt—and of the billions of dollars worth of arms and other military aid which the Russians poured down that particular rathole?

Where are the military and naval facilities the Soviet Union once enjoyed along the western coast of the Adriatic? What became of the naval bases they were once reputed to be acquiring along the African shore of the Mediterranean, in Algeria and elsewhere? Where, today, are the military facilities they were supposed to have enjoyed in Guinea? In Angola? And in Ghana? What has become of the terrifying naval base in Somaliland from which, only a short time ago, they were supposed to be commanding the Indian Ocean?

ARE WE, IN THE FACE OF ALL THIS, expected to tremble at the sight of the pathetic little band of semi-allies which Moscow is supposed to have today? Of a Vietnam whose communist leaders seem to have gone mad and are arousing against themselves not just the free world but much of the communist one as well? Of a Cuba that costs Moscow $7 million a day and goes its own way in the bargain? Of a South Yemen in which the Russian advisers are doing nothing more (and doing it less well) than what the British are doing in the neighboring Oman? Of a band, in short, that includes not one of the other great powers or even any of the leading advanced industrial nations (excepting East Germany) of the world?

The West, and the United States in particular, has plenty of things to worry about—outstandingly, the energy problem, the dependence on the oil of the Middle East, and the dangers presented by the Arab-Israeli conflict. These situations present far greater dangers than anything involved in current Soviet efforts to gain influence elsewhere in the Third World. If we have to worry, one would think we might worry about the real dangers—not the fancied ones.

What is most disturbing about this recent vogue of uncritical American anti-Sovietism is the subjective nature of the motivation. It is obviously not based on any careful scrutiny of external reality; nor do its devotees seem to be particularly concerned for the external effects of their positions. It appears to be designed primarily to serve internal objectives: political exploitation of the chauvinistic posture; a catering to the aspirations of ethnic minorities; the thirst of bureaucratic entities for greater governmental appropriations.

This being so, I fear that the Russians may be coming to the conclusion that there are limits to what they could do, even with the best of will, to disarm these tendencies. It is true that Moscow constantly plays into the hands of its critics and alarmists—by its obsession with espionage, by its passion for secrecy, by its tendency to overdo in the cultivation of military strength, by the excesses and stupidities of its police establishment. Certainly, if these distortions could be avoided, the

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strength of American anti-Sovietism might be somewhat weakened. But it could scarcely be entirely broken; for it is not in Soviet behavior that this phenomenon has its principal origins.

To the Soviet eye, moreover, it will appear that the demands implicit in these anti-Soviet manifestations are ones aimed at the outright destruction of the Soviet system. The aspirations of the interested American ethnic minorities (Ukrainian, Polish, Jewish—whatever they may be) run either to the breakup of the multinational Soviet state or to the dismantling of its hegemony over Eastern Europe. Many of the demands on the military side are ones that could be met only by reductions in the size of the Soviet armed forces of such dimensions, and the acceptance of inspection requirements so humiliating as to involve, in the Soviet view, an unacceptable loss of prestige and diminution of the internal and external security of the regime.

If there is any danger of the aggressive use of Soviet forces, that danger is most acute in the day of Soviet failure.

WHAT, THEN, IS GOING TO BE the effect on the Russian political establishment of a recognition that the demands of powerful segments of American opinion are ones they cannot hope to disarm and cannot afford to accept? The harassment the relationship has experienced from this quarter in recent years, beginning with the Jackson-Vanik amendment and ending with the present opposition to SALT II, has already gone far to discredit those elements in the Soviet hierarchy that have hoped and worked for a better Soviet-American relationship. The Brezhnev leadership, in which these elements generally found their support, is unquestionably on the way out. The drastic change in senior personnel that this will imply will almost certainly be accompanied by a rigorous critical review of that leadership's policies. That review is probably, in fact, already in progress in some form or other. It is bound to interact intimately with the question of the successorship.

If the new *équipe* should consist of men who have already become convinced that a better relationship with the United States is not within the limits of practical possibility, what will be the result? Where will they turn? And what forms will the Cold War then take? The significance of these questions is heightened by the evidence that prominent among the competitors for the successionship are Great-Russian chauvinist elements, already strongly anti-American as well as anti-Zionist by persuasion, and in part not averse to a reconciliation with China.

If such a leadership comes to the fore (and we may now be not far from its appearance), then the American cold-warriors will of course appear to be vindicated; for this new leadership will presumably manifest in reality most of those ugly traits that those cold-warriors have professed, with less justification, to see in Brezhnev and his associates. The exaggerations of today will then have become, as so often happens in political life, the realities of tomorrow. And the Cold War will then be revived in its sharpest and most unpleasant forms.

There will of course be those who will say: What's wrong with that? Is it not time that we accepted, and met head-on, the conflict with this ruthless, self-righteous, and hypocritical regime which has corrupted and demoralized a great, promising society and has brought only conflict and instability into international life over the space of sixty years? And are the chances not good for success in such a contest? Is not the Soviet regime in many ways in trouble, internally? And where else does it have to turn, for food and for technological support, but to us in the West? Is China really an alternative? Can we not, then, exploit its difficulties and grind it to the wall?

There is something to be said for the premises of this position. The Soviet regime does indeed have internal problems of great seriousness. It is handicapped, in its efforts to cope with these problems, by the outlooks and habits inherited from its predecessors, by the consequences of the terrible mistakes those predecessors made, by its unwillingness to face up to its own political past. And a group of Great-Russian chauvinists would be even less qualified to cope with those problems than would the men who are in the Kremlin today.

But is a sudden failure of Soviet leadership and a disintegration of Soviet power really what we want? Even if these events were to come about by purely internal causes, without pressure from the "capitalist" West, it is by no means certain that they would all be beneficial from the Western standpoint. The West, we must remember, is scarcely better prepared than is Moscow for the reordering of Europe that would be necessitated by a breakup of the Soviet hegemony in Eastern and Central Europe. The experience of the Russian Revolution should have taught us that the mere disappearance of a regime you may not like does not assure that what comes after it will be an improvement. One cannot assume that a breakup of Soviet power would automatically bring either democracy to Russia or hopeful solutions to the latent unsolved problems of the vast area that Soviet power now controls.

But if such a breakup were even to threaten to occur under pressure from outside sources, and particularly the United States, then a situation of great danger would unquestionably have been created. For if there is any danger of the aggressive use of Soviet armed forces, it is not in the day of Soviet success but in the day of Soviet failure that this danger will become most acute. The West has more to fear from Soviet weakness than from Soviet strength.

I have always insisted that the Soviet leadership had no desire or intention to unleash another major war; and if things continue to go even reasonably well for them in the sense that the integrity of their internal power is not seriously threatened, and above all not threatened by outside pressures, I am sure that things will continue to be that way.

But if the Soviets are driven to the wall—if their prestige is seriously challenged—if efforts are made to subject them to humiliation at home and abroad—and if, therefore, they sense real danger to the security of their rule over the Soviet peoples—then, I can give no guarantees and make no predictions as to their behavior. The world might then have reason to recall Trotsky's dictum, in the days of Brest-Litovsk: "If we have to go, we will slam the door so that all Europe will shake." And Trotsky's Russia, we should remember, was one that did not have nuclear weapons.

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Unleashing the CIA

Remember the good old days when the CIA happily went about its business: drugging American citizens, spying on war protesters, and hiring inept assassins? Now the spooks are rattling their chains again—and Congress is about to turn them loose.

By DAVID WISE

THE SMILE ON THE face of Admiral Stansfield Turner told it all. It was there for fifty million Americans to see during President Carter's State of the Union speech last month. The television cameras focused on the CIA director just as Carter came to the part about removing "unwarranted restraints" on the intelligence agency.

The admiral's smile lit up the screen. There was his old Annapolis classmate, the President of the United States, ready once again to unleash the CIA. In that brief moment, one could easily visualize the agency rising from the ashes of intelligence reform, preparing to hulk out.

The CIA's timing is flawless. In the present hawkish atmosphere in Washington, intelligence reform has become almost a dirty word, an X-rated idea whose time has come and probably gone. Thanks to the ayatollah, the Soviet takeover in Afghanistan, and Carter's hard-line foreign policy, the emphasis now is on strengthening the CIA's powers and punishing its critics with jail sentences and fines.

All but forgotten are the abuses that were revealed by a Senate investigation in a rather different atmosphere five years ago, when a Senate committee headed by Frank Church of Idaho disclosed how the CIA had tested drugs on unsuspecting American citizens (one of whom, Dr. Frank Olson, committed suicide); how it opened first-class mail in violation of federal law, spied on the anti–Vietnam War movement in Operation CHAOS, and hired two mafiosi, Johnny Roselli and Sam Giancana—both of whom have since met violent deaths—to try to murder Fidel Castro. The list of CIA horrors was much longer, of course. The Church committee concluded that the nation's intelligence agencies had adopted methods "unworthy of a democracy and occasionally reminiscent of the tactics of totalitarian regimes."

On February 8, the Senate Select Intelligence Committee, with the "virtually complete" support of President Carter, introduced an intelligence "charter" that seemed only remotely related to the findings of the Church committee. While outlawing CIA assassinations, the bill would loosen procedures for covert operations; give the agency a free hand to use the press, clergy, and academics as spies; and all but exempt the CIA from complying with the Freedom of Information Act. Turner could hardly have asked for more.

For a time, in the wake of the Church committee investigation, there was considerable pressure to reform the CIA, the FBI, and the other intelligence agencies. Two years ago, the Senate intelligence committee, the successor to the Church panel, hammered out its first charter, attempting to define in law what the agencies could and could not do. The bill, S. 2525, set off a great howl among the agencies and their conservative supporters on Capitol Hill. Too restrictive, they said. It would hobble the CIA, crush morale in the agencies, and weaken America's security.

The staff of the Senate committee diligently went back to the drawing board. An endless series of meetings ensued between the committee staff and representatives of the National Security Council, the Justice Department, and the intelligence agencies. Little by little, the provisions of the reform bill were whittled away, until what had started as a series of restrictions became, in many instances, a list of permissions. The salami-slicing tactics of the agencies had worked.

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In the meantime, the original reform measure died at the end of 1978. It was not reintroduced last year. The new, milder, tar-free version of the charter that made its appearance on February 8 was supposed to have been unveiled by the White House and the Senate committee last fall. But a series of foreign policy crises intervened—first the skirmishing over SALT II, then the seizure of the hostages in Iran, then Afghanistan.

In the wake of these events, Admiral Turner and his deputy at the CIA, Frank Carlucci, saw the hole in the line and plunged through. Not only might it be possible to avoid *any* reform, but in the crisis atmosphere the agency might be able to ram through legislation vastly expanding its powers.

The President's address had barely ended when Senator Daniel P. Moynihan of New York broke ranks with his colleagues on the intelligence committee and introduced a three-pronged, CIA–backed legislative package. The first part of his bill would repeal the confining Hughes-Ryan amendment and free the CIA to conduct more covert operations without telling Congress in advance. The second part would virtually exempt the agency from the Freedom of Information Act; and the third is a mini Official Secrets Act that would punish government officials, the press, and other citizens who talked or wrote about the agency if "identities" were revealed.

Moynihan's ploy was not designed to endear him to Senator Birch Bayh (D-Ind.), chairman of the Senate Select Intelligence Committee, or to Senator Walter D. Huddleston, the Kentucky Democrat who heads the subcommittee that has been trying to salvage a CIA charter bill. Both senators concede that getting any sort of broad charter through Congress this year will be very difficult.

In varying form, all three of the features of the bare-bones Moynihan bill are contained in President Carter's CIA charter package. The danger, however, is that Congress in an election year—and amid the relentless beating of war drums—will choose to pass only the three pro–CIA parts and abandon all or most of the curbs on the agency.

Jerry J. Berman, Washington legislative counsel for the American Civil Liberties Union, has been following the battle very closely. He says that Huddleston probably teamed with Vice President Mondale, a former member of the Church committee, to devise a strategy of trying to link the three pro–CIA measures with what remains of a reform charter: "They said, 'Let's paste these together, because if the carrots go without the sticks, we won't get any sticks.'"

Huddleston in essence agrees. "My theory," he says, "is we'll take this new wave of support and interest in intelligence and harness it to the charter." It is, however, easier said than done, especially now that Moynihan, joined by six Democratic and Republican colleagues, has in Bugs Bunny fashion offered the carrots all by themselves.

"My most optimistic scenario," Huddleston admits, "is that we introduce the charter—which has the three items in it but also sets broader guidelines. We can pass the charter in the Senate. But the House may not want to pass a comprehensive bill; it's an election year. If they pass a shorter version, perhaps we can go to conference. I don't see why they would be adverse to accepting the rest of the charter."

The reform bill was whittled down until what started as a series of restrictions became, in effect, a list of permissions.

But both Huddleston and Bayh, who faces a tough reelection campaign in Indiana, are well aware that they will be caught in a cross fire on any CIA legislation. Even the Carter-backed, watered-down reform bill will be attacked by the right as hobbling the agencies. At the other end of the scale, the ACLU and its liberal allies have already assailed the three CIA–supported measures as unnecessary, unconstitutional, or both. "We're going to be right in the middle," Huddleston says.

Freeing the CIA to conduct more covert operations—and permitting the agency to conduct some secret operations without reporting them to Congress—is hardly an intelligence "reform." But that is exactly what is proposed in both the draft of the Carter–Senate committee package and the Moynihan bill.

*THERE IS BROAD SUP*port in Congress for repeal of the Hughes-Ryan amendment, which has required the CIA to report covert operations to as many as eight congressional committees. There is, however, considerable murk surrounding the present reporting system under Hughes-Ryan, and the confusion was compounded by Carter's State of the Union remarks. The President repeated his commitment to "a new charter to define clearly the legal authority and accountability of our intelligence agencies." But then he added: "While guaranteeing that abuses will not recur, we need to remove unwarranted restraints on our ability to collect intelligence and to tighten our controls on sensitive intelligence information."

Since there are *no* restraints on *collecting* intelligence in either current law or presidential executive orders, some CIA–watchers on Capitol Hill have concluded that Carter's language was euphemistic for removing restraints on covert action, a very different kettle of fish. In short, Carter would like Hughes-Ryan repealed. But perhaps remembering the Bay of Pigs, the ineffective CIA intervention in Angola, and the assassination plots against Castro, Lumumba, and other world leaders, he chose to talk about intelligence "collection" rather than covert operations. It's safer and nicer, and a lot of people don't understand the difference.

The Hughes-Ryan amendment, sponsored by the late Representative Leo Ryan of California and former Senator Harold Hughes of Iowa, was passed in the wake of the CIA's covert undermining of the Allende regime in Chile (on Richard Nixon's orders) and the failure of CIA Director Richard Helms to tell Congress the truth about it. Its language is simple. No funds may be spent by the CIA on covert operations abroad unless the President finds the operation is "important" to national security and reports "in a timely fashion" to the "appropriate" committees of the Congress, including the foreign relations committees of both houses.

In practice, the CIA initially reported to those committees plus the armed services and appropriations committees in both houses, six in all. By 1977, with the formation of intelligence committees in the Senate and House, the number had grown to eight. (Currently it is down to seven, since the House Armed Services Committee has decided it does not want to be briefed.) The CIA and its support-

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ers argue that Hughes-Ryan meant sharing CIA secrets with 163 members of Congress and 41 staff members. This, the agency argued, would result in leaks of secrets to the press. When it is pointed out that no such leaks of covert operations have occurred, the agency's advocates fall back on the claim that the mere requirement of reporting to so many committees has so inhibited and intimidated the agency that it has virtually ceased running covert operations. The truth is, however, that the agency has continued to conduct dozens of covert operations and to report them to the congressional committees.

The Carter-backed intelligence charter would repeal Hughes-Ryan and require the CIA to report to only two committees, the Senate and House intelligence committees. It would weaken the existing requirement that the President certify covert operations as "important" before they could take place. The bill would require the President to do so only if the operation involved "substantial resources, risks, or consequences." And it would establish whole categories of covert operations that the CIA could conduct without telling Congress about each individual operation, as long as the President had approved the categories and informed the intelligence committees about them. Here the new law would merely codify a little-understood current practice. As Seymour Hersh revealed in the *New York Times* in June 1978, President Ford had issued a series of worldwide "findings" under Hughes-Ryan declaring in advance that the CIA could conduct covert operations dealing with narcotics, terrorism, or counterintelligence. President Carter kept these conditions in effect.

The real backstage struggle over the new charter took place not as to what kinds of operations must be reported to Congress, but *when* they must be reported. Senate Resolution 400, establishing the Senate intelligence committee, asks that the CIA keep the panel "fully and currently informed" of its activities, including "significant anticipated activities," which Huddleston and his colleagues interpret as meaning any covert operation. The House adopted similar language in establishing its committee. Members of the Senate panel say that in practice, the CIA has customarily notified it in advance of conducting any covert operations. It is a vital point, since reporting such operations after the fact gives Congress little voice in controlling them.

Bayh maintains that the new Senate committee has had advance notice for the most part. "We've had advance notification in every case but one," he said. "I used to be able to say every one. Not now. I can understand their not telling us, but I think they were ill-advised." Bayh pushed hard to incorporate the principle of advance notice into the proposed charter.

The issue came to a head when Bayh, Huddleston, conservative Jake Garn (R-Utah), and liberal Charles Mathias, Jr. (R-Md.) met at the White House on the morning of January 30 with the President; CIA Director Turner; Zbigniew Brzezinski, Carter's national security adviser; and David Aaron, deputy adviser. According to Huddleston, the President and his aides argued against prior notification in "extremely difficult cases where lives were at stake" and in cases where "another country would refuse to deal with us if it had to be reported to anyone."

Chairman Bayh was unconvinced, arguing that even in "extremely sensitive" operations of "short-term duration" it would be possible to notify the committee in advance if the senators and the President could agree on "special procedures" for doing so. After the White House meeting broke up, lawyers for both sides stayed behind and attempted to draft language that would bridge the gap between Carter's position and that of the committee, but these efforts ended in failure.

When the charter was made public, a little more than a week later, it contained language requiring the President to give the two committees "prior notice" of covert operations, except in "extraordinary circumstances" when for forty-eight hours the advance notice could be limited to the chairmen and ranking minority members of the two committees and the four leaders of the House and Senate. These were the "special procedures" Bayh had in mind.

Carter would not go along with blanket prior notice. In a letter to Bayh, he gave the bill his general support but made it clear that "a few issues remain to be resolved" so that the CIA would be free to carry out "action in extraordinary and difficult circumstances." At the same time, Carter endorsed "a majority of the provisions" in the charter.

Among those provisions is the one exempting the CIA from the provisions of the Freedom of Information Act, except for requests by Americans for information about themselves contained in CIA files. Critics of the measure argue that there is no valid reason to exempt the agency and that if such a law had been in effect, the details of the CIA's drug-testing program and information about CIA spying on Americans in Operation CHAOS would have been suppressed.

Carter chose to talk about easing the reins on intelligence 'collection' instead of covert operations because it's nicer.

Morton H. Halperin, a former NSC official and director of the Center for National Security Studies, argues that the CIA already has substantial control over what it chooses to release, since the Freedom of Information Act permits the agency to withhold classified data. Although the courts could conceivably force the CIA to release secret material under the Freedom of Information Act, no such information has been made public by court action up to now. Halperin and other foes of a CIA exemption believe the attempt to weaken the Freedom of Information Act can be defeated.

ONE OF THE MOST potentially explosive measures being pushed by the CIA is the so-called "Agee" bill, prompted by former CIA officer Philip Agee's disclosure of the names of dozens of CIA officers and agents in his book, *Inside the Company: CIA Diary*. In the Carter–Senate committee version, the CIA charter legislation would impose criminal penalties on government officials or former officials who disclose classified information that reveals the identities of CIA agents, informants, or sources.

The much broader Moynihan version, which has also been introduced in the House, would provide jail sentences or fines, or both, for reporters or other persons outside the government who disclosed information that could reveal the identities of CIA agents, informants, or sources. Under this provision, it would apparently have been a crime for

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Bob Woodward of the *Washington Post* to have reported CIA payments to King Hussein. One can also imagine Richard Nixon warning the *Post* during Watergate not to investigate the Mexican money laundry because it would compromise CIA operations. It might even have been a crime to publish the fact that Howard Hunt, James W. McCord, Jr., and other Watergate burglars had formerly worked for the CIA; or that another burglar, Eugenio Martinez, was on a $100-a-month CIA retainer at the time of his arrest in the Watergate building.

Under Moynihan's bill, Bob Woodward of the Washington Post *would be in jail for reporting CIA payments to King Hussein.*

In Moynihan's bill, only those who report on CIA sources or agents with intent to "impair or impede" U.S. foreign intelligence activities would violate the law. But the government could easily contend that any critic of the agency harbored such an "intent." A reporter who had written articles criticizing the CIA, for example, could be accused of attempting to "impair" the agency.

In testimony to the House intelligence committee, John Shattuck, director of the ACLU's Washington office, along with Berman and Halperin, noted that in the case of the King Hussein story, the Carter White House urged the *Post* not to publish on the grounds it would harm U.S. intelligence activities. "Would not publication in the face of such a warning be proof of an intent to injure?" they asked.

Even the Justice Department declined to endorse Pat Moynihan's Official Secrets Act. Associate Deputy Attorney General Robert L. Keuch warned the House panel that the bill would have "a chilling effect" on freedom of speech. Frank Carlucci, Turner's deputy, defended the measure as essential "to the maintenance of an effective foreign intelligence service." The CIA, however, has never been devoted to the First Amendment.

Under Moynihan's bill, one would not have to name a CIA agent to violate the law. The government could argue that the law would be violated if information in a news story could lead some readers, perhaps a foreign government, to identify someone who worked for, or who had once helped, the CIA. And if a name was mentioned, even the fact that it had been published elsewhere would not, apparently, constitute a defense.

The revelation of the names of many alleged CIA officers and agents by Philip Agee was followed by a rash of such disclosures in the European press. These disclosures have proved troublesome for the CIA, and Congress will almost certainly pass a narrow bill at least prohibiting identification of agents by government officials or ex-officials.

The issue was dramatized in 1975 by the unfortunate death of Richard Welch, the agency's station chief in Athens, who was shot to death outside his home. Several months earlier an American magazine, *Counter-Spy*, had identified him as a former CIA station chief in Peru. The CIA blamed Welch's death on the publication of his name. However, the agency suppressed the fact that it had been deeply concerned that the house into which Welch had moved in Athens had, according to the Church committee, "been previously publicly identified as belonging to the former station chief." According to Morton Halperin, CIA headquarters cabled Welch, warning him of concern for his safety if he moved into the known agency residence.

ANOTHER TROUBLESOME issue that Congress will have to face if it passes a comprehensive intelligence charter is whether and to what extent the CIA should be allowed to use journalists, clergy, and academics as spies. In 1976, George Bush, then the CIA director, announced that the agency would no longer pay full-time U.S. reporters to act as intelligence agents. Stated another way, it meant the agency would not employ spies using full-time reporting jobs as cover. (In the same announcement, the CIA said it would not use American clergy as spies.) But the Church committee revealed that out of fifty CIA journalists, fewer than half would be terminated under the new rule, since it did not apply to news executives or free-lance writers. A year later, Admiral Turner issued a new directive eliminating "stringers"—part-time or occasional news correspondents—but continuing the use of executives and free-lance writers. It also permitted "exceptions" to be made by the director, allowing the agency to use press cover at will.

The original Senate reform bill, S. 2525, banned the peacetime use of full-time clergy or missionaries by the CIA and prohibited the use of journalists or executives of news organizations. Although the Senate intelligence committee argued that these restrictions should remain in the new charter, President Carter and his aides pushed for a vague statement that the CIA would protect the "integrity and independence" of U.S. institutions. And that is how the charter bill emerged. The hazy disclaimer leaves the agency free to use all three groups; it can easily argue that the number of agents using cover as journalists, clergy, and academics would be so small as not to threaten those institutions. The proposed charter prohibits CIA agents from posing as members of these groups in order to establish "cover," but permits the agency to recruit journalists, clerics, or professors as spies. The bill thus makes a ridiculous distinction between spies pretending to be journalists and journalists acting as spies.

CIA clandestine operators argue that the agency needs press cover since journalists have ready access to foreign officials and do not arouse suspicion when they move about. The agency has complained of the "shrinking cover" available to its officers. But when even some "journalists" are really spies, all journalists are tainted; their ability to gather and report the news, especially in Third World countries, may be impaired. The infiltration of the press corps by a secret government intelligence agency interferes with freedom of the press and violates the First Amendment.

How this and other reform issues will be resolved by the 96th Congress is not yet clear, but most observers in Washington are doubtful whether even Carter's tame reforms will pass. And CIA critic Halperin points out that none of the changes sought by the agency "would improve the CIA's ability to predict world events." The ACLU's Berman warned gloomily that if the three CIA "goodies" are enacted, "that will be the end of charter reform. The train may be going out of the station without the protection against abuses that the congressional investigations disclosed." Small wonder that Stansfield Turner is smiling.

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MOSCOW DIARY, by Veljko Mićunović. Translated by David Floyd. Introduction by George Kennan. Doubleday & Co., 504 pp., $15.95.

Undiplomatic diary

IVO BANAC

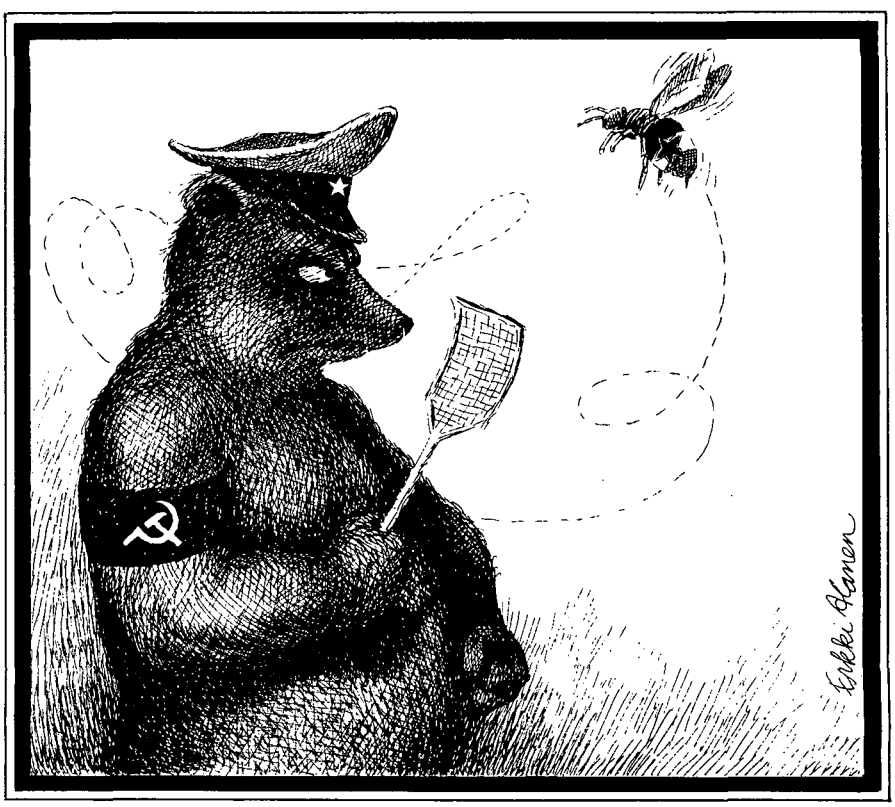
HOWEVER MEMORABLE at one time they may have been as personalities, Yugoslavia's diplomats were always discouraged from telling all—or even much—in print. Then in the fall of 1977, Liber, a prominent publishing house in Zagreb, brought out the diary of Veljko Mićunović, Yugoslavia's former ambassador to Moscow. The volume became an immediate runaway best seller, its attractions enhanced by Soviet demands for its withdrawal. American readers can now partake of this rare document. The translated (and somewhat shortened) version will certainly add much to the better understanding of Eastern European diplomacy and politics.

The author of this cause célèbre is, to be sure, no run-of-the-mill foreign service official. A University of Belgrade Communist student leader in the late thirties, during the war Mićunović became one of the topmost partisan organizers in his native Montenegro. After the establishment of socialist Yugoslavia, he held some leading posts in the security agencies and the economy. Mićunović was already a member of the central committee of the ruling League of Communists of Yugoslavia (LCY) when he was appointed a deputy foreign minister in 1952.

Mićunović undertook his new duties at the height of the bitter dispute between Moscow and Belgrade. This conflict, which Stalin initiated in 1948, would be extinguished slowly with his death and the beginning of the Thaw. Khrushchev and Bulganin visited Yugoslavia in 1955, making a show of their willingness to mend the relations with Belgrade. For its part, the Belgrade leadership proved to be remarkably receptive to the Soviet overtures. Tito's determination to facilitate the Soviet ties was underscored with the choice of Mićunović as Belgrade's new man in Moscow. A diplomat second only to Yugoslavia's foreign minister became the ambassador to the USSR.

Mićunović continued in Moscow from late March 1956 to mid-October 1958. During the last year of the Kennedy administration and most of the Johnson years, he served in Washington. He moved again to the USSR soon after the invasion of Czechoslovakia, during an especially acrimonious period in Belgrade-Moscow relations. In 1971, at the zenith of his career, Mićunović became a member of Yugoslavia's collective presidency, the highest state body chaired by President Tito. Stricken and partially paralyzed in 1974, he has held only honorific posts in recent years. However, it appears that illness did not impair his determination. By all accounts this diary of his first term in Moscow became the consuming passion of Mićunović's twilight years. He has now succeeded in bringing his record to international attention.

The publication of Mićunović's book, especially its timing, might not be altogether accidental. To be sure, since the beginning of the seventies, Yugoslavia has enjoyed some fairly balmy weather in its relationship with the USSR. The surface cordiality was secured by the retrograde internal policy that has been the norm since late 1971. But if domestic rigidity was intended in part to allay Moscow's hectoring, the results were the very opposite. Yugoslavia has become more vulnerable precisely at the moment of pronounced Soviet expansionism and Tito's own imminent departure from the political scene. As pressures mounted, Belgrade found it necessary to alert the world community about the unforeseen reversals in its relations with



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the Soviet Union, but with a minimum of fuss and without any messy public polemics. Like acupuncture, the needling of Moscow must be painless and, if at all possible, ameliorative.

Mićunović's book serves the same purpose in a different way. Far from dated, his (un)diplomatic diary from the late fifties was intended to instruct and to caution. In the introduction to the Zagreb edition he announced that "the basis of Yugoslav-Soviet relations has not changed" during the past twenty years and expressed a hope that his personal vision of these ties would be of special interest to younger generations.

Mićunović's attitude toward the Soviets is decidedly irreverent—he even calls them 'Russians.'

SOVIET DISPLEASURE WITH Mićunović's diary can be readily appreciated. As an heir to traditions of Montenegrin Russophilism, and as a Comintern-generation cadre, Mićunović was doubly disillusioned by the Soviets. In fact, he rarely uses the term "Soviet": He sticks to "Russia" and "Russians." However widely used in private, these "colloquialisms" still sound strikingly unofficial when printed in Yugoslavia. The overall effect is that of ill-concealed irreverence.

So it is with most of Mićunović's attitudes to things Soviet. From the moment he first entered the USSR at Lvov, where he recalled that this city was taken from Poland with Hitler's connivance, he kept a lookout for all the unpleasant aspects of Soviet life. He is sardonic about Soviet surveillance (nineteen microphones uncovered in his Moscow embassy, his guest residence at Yalta bugged) and suspects that the Russians might have broken Yugoslavia's diplomatic code. He is amused by the sense the Soviets attached to "fair play," has nothing but scorn for Soviet agriculture, and never fails to deflate Soviet self-righteousness: "So to 'defend the revolution' in Hungary they have sent Soviet troops against Budapest in revolt and are seeking the causes of the revolt from here all the way to America: In their view everyone else is to blame, they alone are in the right!"

Given the work's provenance, Mićunović's multipronged critique is nothing short of remarkable. Yet it is his developed analysis of Belgrade-Moscow relations which is at the heart of Soviet discomfiture with this book. Significantly, Mićunović is not simply parroting the LCY line. Many of his ideas, naturally, do stem from the LCY, yet others are likely to have sprung up in almost any small country, no matter what the prevailing ideological influences. ("With great powers such as the Soviet Union the feeling for equality [among states] is stunted. . . .") Nevertheless, a good number of the approaches found here are quite clearly Mićunović's: most notably, a readiness to note the weaknesses of his own government.

He begins his discourse with the frequently forgotten fact that Tito's conflict with Moscow was imposed by the Soviet side and that the initiative was always with the Russians, including the decision to improve the relations after Stalin's death. Stalin's chief miscalculation was a belief that a public display of displeasure would be enough to topple Tito's leadership and replace it with a pro-Soviet regime. While this reckoning was not unreasonable in light of Stalin's past successes with various opponents, in 1948 it led to a disastrous failure. Instead of doing away with Tito, Stalin only succeeded in driving Yugoslavia out of the Soviet camp. Once out, it became all the more dangerous to the stability of the Soviet bloc. As a consequence, the policy of Stalin's successors was and remains to draw Yugoslavia back to the camp.

Belgrade's position is understandably different. Yugoslavia seeks to affirm a policy of equality among both Communist parties and socialist countries, a course unacceptable to Moscow. It is not Yugoslavia's aspiration to independence that is at issue. Rather, its government's desire to be independent *and* Communist is the source of its troubles. Khrushchev's reaction to Mićunović's protests over the loans lavished on India, Turkey, and Iran and denied to Yugoslavia clarifies the problem: "Say publicly that you are like India and similar countries and nobody will touch you." Mićunović comments: "The point is that we too are Communists, and the Russians do not allow that anybody can be a Marxist and not be cut to their pattern or that they do not have an ideological monopoly over everything that is called socialist."

Since the interests of the two sides are diametrically opposed, their attempts at reconciliation were first mutually misunderstood and, once comprehended, led to new conflicts. Mićunović holds that so long as the Soviets consider Yugoslavia's separate status to be a danger to the stability of their sphere of influence, they will try to undermine the Belgrade government. For its part, Yugoslavia must try "to quarrel with [the Soviets] in a new way" without risking an open break, as in Stalin's time.

In a sense, Mićunović believes that his country's position was more secure when the lines were clearly drawn with Moscow. That is why portions of his diary read like a polemic against those who would seek to strike a bargain with the Russians. Could it be that he secretly counts himself among those in Yugoslavia who were "reproaching Tito for moving too fast toward full support of the Soviet Union" back in the fifties? If everything Mićunović says about the Soviets is true, why would Belgrade want to restore party-to-party relations with Moscow? When a Swedish envoy poses this question to him, Mićunović can only reply that this is Yugoslavia's affair. This section was unfortunately left out of the present translation.

IN TRUTH, MIĆUNOVIĆ ES- pouses a sharp course with Moscow. He believes in the venerable adage that the Russians mistake conciliation for weakness. When they face difficulties (as in Hungary in 1956), they are most accommodating. As soon as they regain their footing, they resume their familiar style. In a strikingly discordant note, Mićunović deflates Yugoslavia's self-importance. He repeatedly stresses that Belgrade cannot influence Moscow, apparently least of all by striking a pose with the Third World. The solution is to maintain a scrupulous balance among all sides.

Yugoslavia should under no circumstances weaken its position with the West for the sake of scoring ideological points with the East. In 1957 recognition of the German Democratic Republic was a mistake since "it looks as though Yugoslavia has lost more in the eyes of [the West] than it has gained in the eyes of the [other side]." Above all, Belgrade should never sign secret agreements

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with the Soviets, such as the 1957 Snagov memorandum. Secret diplomacy can only limit Yugoslavia's freedom of action, and that is exactly what the Soviets want.

Belgrade's diplomacy of the seventies was rather at odds with Mićunović's prescriptions. But the publicity afforded to his views is only partially a corrective. The blurring of the differences with Moscow, however dangerous, is not a mere blunder. It has systemic roots. Whatever his intentions, Mićunović's most subtle criticisms of Belgrade's policy are elliptic. He records without comment Khrushchev's baiting of Yugoslav democracy and decentralization. It must have occurred to him that the case for the superiority of the Yugoslav system was precarious as long as Khrushchev could offer his sarcastic congratulations on Belgrade's handling of Djilas and other dissidents.

Mićunović certainly perceives that more democracy and decentralization is the best defense against attempts to reclaim Yugoslavia for the socialist camp, but this still does not mean that he sees any identity of purpose with the West. For one thing, he believes that Washington is not troubled with Soviet power behavior. The State Department finds it perfectly natural that the USSR should dominate its various clients. More important, Washington also thinks in bloc terms. American policy towards Yugoslavia is determined by Belgrade's relations to Moscow. The myopia of this approach should be obvious to the reader. It becomes intolerable when it actually hinders Yugoslavia's internal democratization.

It would be fair to say that most of the personalities, movements, and minority nationalities of Iran that have dominated the headlines since the summer of 1978 were at that time unknown to the American public. This is not simply because the shah wished to focus all attention on himself, because his opponents preferred obscurity, or because the CIA was "leashed." Rather, the only aspect of Iranian policy, besides the flow of oil, that mattered to official Washington (and therefore to the American media) was the shah's stand toward the USSR. Similarly, it is characteristic that the only question about post-Tito Yugoslavia that is ever raised in the West is whether or not Moscow will succeed in reimposing its hegemony on Tito's successors. Yet, surely the answer to this question depends on a careful appraisal of internal developments. Foreign policy cannot be willed. It is an aspect of the domestic situation.

It is a pity therefore that Mićunović decided to shorten the translated version of his diary by "making further cuts in an effort to relieve the non-Yugoslav reader of details which, in a narrower sense, concern only Yugoslav policy or what was happening in that connection in Yugoslav-Soviet relations twenty years ago." In fact, some of the excluded sections deal more with American than with Yugoslav policy. It would have been useful for American readers, for instance, to familiarize themselves with Khrushchev's belief that Washington "fully understood" the need for Soviet intervention in Hungary. The translation by David Floyd is excellent, although he often simplifies colorful idiomatic phrases. His introduction and that of George Kennan are not particularly enlightening. Like Agatha Christie's Captain Hastings, they have a talent for pointing out the obvious. ❏

THE ORIGINS OF ENGLISH INDIVIDUALISM: THE FAMILY, PROPERTY AND SOCIAL TRANSITION, by Alan Macfarlane. Cambridge University Press, 232 pp., $19.95 (hardback), $6.95 (paperback).

Freedom and freeholders

R. M. HARTWELL

THIS IS AN INTERESTING and provocative book, not as original as the author claims (other historians have viewed the origins of the industrial revolution in long-term perspective), more polemical than necessary to advance the strong thesis it does (practically the whole of the economic and social history profession is castigated), but, nevertheless, a book that challenges orthodoxies and attempts to solve big historical problems. Macfarlane is a historian and anthropologist with an established reputation in

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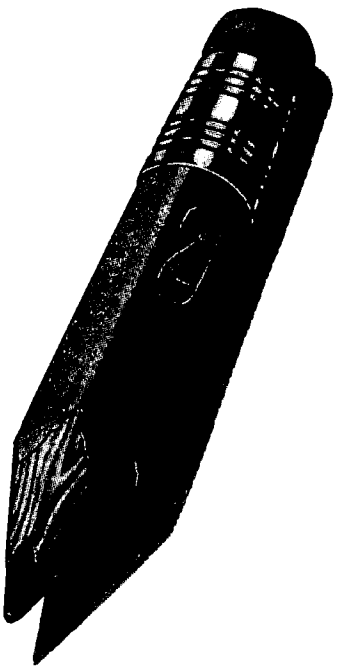

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both fields and with a formidable list of publications about that period of English history between the late sixteenth and mid-eighteenth centuries. He is concerned with what I call "very long-term growth" as explaining England's "great discontinuity," the industrial revolution. Four problems, Macfarlane declares, "lie behind" his book: "Why did the industrial revolution occur first in England? When did England start to be different from other parts of Europe? In what, principally, did the difference consist? How far is the history of the English transformation a useful analogy for contemporary Third World societies?"

The first three related questions Macfarlane answers by arguing that "individualism" arose earlier in England than elsewhere in Europe, that individualism manifested itself in the early establishment of individual property rights in land and hence in the absence of a peasantry, and that individualism resulted finally in industrialization. The fourth question is never tackled seriously, but Macfarlane argues, toward the end of his book, that the long and unique history of English individualism offers a not very helpful or hopeful lesson for the Third World.

Macfarlane's basic thesis is that "a central and basic feature of English social structure has for long been the stress on the rights of the individual as against the wider group or the state." Individualism is defined as "the view that society is constituted of autonomous, equal units, namely separate individuals, and that such individuals are more important, ultimately, than any larger constituent group. It is reflected in the concept of private property, in the political and legal liberty of the individual, in the idea of the individual's direct communication with God." This is a definition of classical liberalism after the manner of J. S. Mill or F. A. Hayek, and not one I would quarrel with.

Macfarlane's chronology shifts the origins of capitalism back to well before the Black Death.

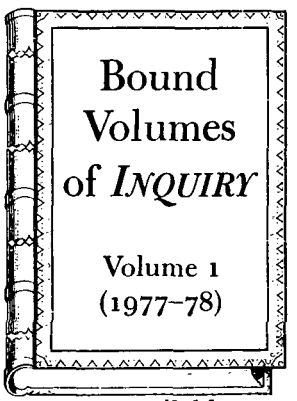
For the particular purpose of this book, however, Macfarlane argues that the essential proof of the existence of individualism in England is the absence of a peasantry; also that the proof of the absence of a peasantry is the existence of individual property rights in land, the frequent alienation of land outside of the family, and the existence of a large number of landless laborers. On the basis of good evidence dating back to 1500, and shaky evidence dating back to 1200, Macfarlane "proves" that the English small landholders had been buying and selling land, enlarging and decreasing estates, and passing them on at death to successors of their own choice without necessary regard for the family as a social unit. It follows, he argues, that the conventional chronology of English social and economic history, with its turning point from "feudalism" to "capitalism" in the sixteenth and seventeenth centuries, is incorrect. And so, Macfarlane asserts, not only are historians like Postan, Homans, Hilton, Tawney, Hill, Pocock, and Stone wrong, but the great system-builders of the past, Marx and Weber, are too. The author shifts "the origins of capitalism back to well before the Black Death" and argues that "both historians and sociologists have largely misinterpreted the basic nature of English social structure between the thirteenth and eighteenth centuries." There was no obvious break in English history after 1200 until the industrial revolution.

On the two general theses—the importance of "individualism" for the industrial revolution and the long history of "individualism" in English history—I am in broad agreement with Macfarlane. However, he "proves" neither the long history of individualism, which at least he attempts to do, nor the essential relationship between individualism and industrialization. The latter problem, indeed, he completely ignores, except for a single generalization with which he presumedly agrees: "A number of social historians have realized that English property rights were at the heart of much that is special about England, particularly in relation to industrialization."

INDIVIDUALISM IS SEEN BY Macfarlane almost entirely in terms of individual property rights in land by small landowners, in contrast with the communal or familial property rights which he regards as the stereotype characteristic of a peasantry. His definition of peasantry, however, is drawn largely from anthropological literature, the ideal being the peasantry of Russia and Poland in the eighteenth and nineteenth centuries. Since England diverged from this ideal early in her history, England was individualistic from that point on. This is too simple a thesis, both about peasants and about individualism. The criteria for both notions are too sharply delineated and too crudely applied. There is, in the discussion about the English "peasantry," or lack of it, nothing about the common fields or about the wide variety of field systems; little about the development of agricultural markets; and nothing about the agricultural revolution.

Again, although there is evidence enough of the comparative freedom of the English "peasant" from family obligations, there is also convincing evidence up to and beyond the fourteenth century of real constraints (for example, with "unfree tenures") on the use and disposal of land. If the historians criticized by Macfarlane place too much emphasis on familial constraints, Macfarlane places too little on both familial and feudal constraints. Property rights, even in the freest societies, are seldom

HANDSOME



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absolute, and the history of property rights in land in England is one of gradual deattenuation, from as early as 1200, as Macfarlane shows; but it is not one of some dramatic but undated reconstruction of rights at some time before 1200, as he implies.

Also important is Macfarlane's failure to relate individualism operationally to economic change: There is no attempt, for example, to show how individual property rights in land increased the ability to innovate and to take advantage of, or create, economic opportunities. It is curious, also, that no reference is made to the now large body of literature on the economics of property rights. Nor is there a reference to North and Thomas's theory of institutional change and their well-worked out, if controversial, interpretation of European (including English) economic history in terms of the changing structure of property rights.

Macfarlane is right, I think, to stress individualism; but it was, more generally, the political and legal framework of English society that largely determined its economic history. The early establishment in England of a society whose government and laws allowed much greater individual freedom than elsewhere in Europe made possible an earlier economic growth that culminated in the industrial revolution. The reasons for this greater freedom lie deep in English history, in a complex combination of historical factors long in the making: a common law that finally absorbed the law merchant and was more flexible than civil law; a history of strong local government and of towns that early established their independence from feudal authority; the early establishment of national unity and, hence, of a national market; a large urban population of industrialists, merchants, and artisans, who were relatively uninhibited by religious constraints on the accumulation of wealth; and, finally, as Macfarlane emphasizes, the absence of a peasantry. Growth and industrialization were not the product of one freedom (the freedom to dispose of land) but of a variety of freedoms (political, social, intellectual, cultural, economic, and religious) which released men from the bonds of custom and legal controls, and allowed the remarkable economic expansion of the eighteenth century.

In charting the growth of individualism, however, Macfarlane is right to point to its early origins but wrong to imply that all was set for industrialization as early as 1200. If individualism leads to industrialization, and if individualism existed in England in 1200, why then was industrialization so slow in coming? It is difficult, on the basis of other evidence, not to come back to the conventional chronology of development, with a build-up of freedoms from the early seventeenth century.

THERE ARE OTHER IMPORtant omissions in Macfarlane's book; in particular, there is no discussion about the role of the state. The early establishment in England of a unified state—with a common currency, common weights and measures, and freedom from internal customs barriers—provided the essential political framework, within the rule of law, for the free exercise of property rights. The civil war finally abolished the threat of arbitrary government, marking the evolution, as David Hume put it, from "a government of will to a government of law." There is nothing, also, on scientific and technological change, without which industrialization could not have occurred in the way it did, and very little on the religious changes that stemmed from the Reformation and which led to a revision of values and attitudes toward individualism. Nor is there anything on social, political, and economic thought beyond an odd mention of Locke and Smith. There is nothing, for example, on the origins of scientific economics and the political arithmeticians of the seventeenth century. Finally, there is no attempt to differentiate between "capitalism" and "industrialization," so that there is a blurring of intellectual and chronological distinctions. In this work, individualism is related to capitalism, but without analysis; and capitalism is related to industrialization, again without analysis.

In other words, Macfarlane's history is far too simple to be convincing. He is rather like the early growth theorists who assumed that capital, and capital alone, was the key to economic development. Capital would produce growth whatever the legal, institutional, educational, cultural, religious, and political context. And we all know what disasters followed from this prescription. Individualism, as Macfarlane uses it, is too vague a concept with too large a responsibility. Freedom is a better word; it can be understood more easily, and it explains more. What is needed, to make sense of the industrial revolution and modern economic growth of England, is a book on "the development of English freedoms."

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***CULTURE AND ANARCHY IN IRELAND 1890–1939*, by F. S. L. Lyons. Oxford University Press, 177 pp., $14.95.**

An intimate island

JOHN P. MCCARTHY

THE PROVOST OF TRINITY College, Dublin, F. S. L. Lyons, is undoubtedly the outstanding authority on the past century of Irish history. The title of his Ford Lectures, delivered at Oxford in 1978, is a play on Matthew Arnold's *Culture and Anarchy*. Arnold viewed culture as leading society to "sweetness and light" and saving it from the anarchy fostered by middle-class Philistines and individualists preoccupied with "doing what one likes." It is the opposite in Ireland, Lyons suggests, where culture—or more specifically the rivalry of four different cultures: English, Anglo-Irish, Gaelic-Catholic, and Ulster Protestant—has been responsible for anarchy or lack of political consensus.

In the Victorian age English culture had become dominant in Ireland for a number of reasons: the colonial destruction of the Gaelic social order during the previous 250 years; the devastation of the Gaelic areas by starvation and emigration during the Irish famine of 1845–49; the penetration by English industrialism—or at least its products and marketing; and the advocacy of English-speaking as a path to advancement, by both the Catholic church and the Catholic (and utilitarian) political leader Daniel O'Connell.

Paradoxically, Irish national movements, whether constitutional, like those of O'Connell (1823–47) and Parnell (1877–90) seeking a local Irish parliament to be granted by Westminster; or revolutionary, like the United Irishmen (1798), the Young Irelanders (1848), or the Fenians (1867) seeking a separatist Irish republic by violence, all tended to be culturally English in terms of language, ideas, and types of institutions advocated. Perhaps the major stimulus

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for the Anglicization of popular culture in Ireland was the state-sponsored national schools that began in 1831.

The system of national schools was the most famous of the numerous statist experiments that Westminster was able to implement in Victorian Ireland long before similar ventures would have been tolerated in an England suspicious of central government and officialdom. Statism advanced in Ireland because a void was created by the destruction of the old native Gaelic aristocracy and the absence of the central feature of the English constitutional tradition, a native, as opposed to a colonial, gentry that could with popular endorsement assume the role of local governing.

The crystallization of the cultural struggle in Ireland coincided with the political defeat of Parnell in 1890. The energies of the Irish subsequently seemed to transfer from the political struggle for home rule to cultural causes. The roots of this development had commenced long before, largely, as Lyons demonstrates, within one cultural group: the Anglo-Irish ascendancy, descendants of the English conquerors of the previous several centuries. The ascendancy owed its position to the English connection, yet paradoxically, it had developed, especially in its eighteenth-century Georgian heyday, a decidedly separate consciousness that germinated an Anglo-Irish nationalism. This was personified by Dean Swift and Henry Grattan (and, in a way, Edmund Burke) and was expressed in the jealous particularism of the eighteenth-century Irish parliament. That ascendancy, out of fear of revolutionary republicanism and/or Catholic nationalism, had accepted the 1800 Act of Union that ended the separate Irish parliament and tended in the nineteenth century to be overwhelmingly Tory.

Anxiety about the unreliability of British support, especially following the granting of Catholic emancipation in 1829 and the disestablishment of the Episcopal Church of Ireland in 1869, prompted some to consolidate their position by identifying themselves with the Irish past—in other words, adopting the legends and history of Ireland as their own and hoping thereby to secure the support of the Irish masses. Antiquarians and poets translated and were inspired by the epics of pre-Christian Ireland. From this ascendancy enthusiasm emerged an attempt to revive the dying Gaelic language and an Irish literary renaissance. Central figures included Douglas Hyde, William Butler Yeats, Lady Gregory, and J. M. Synge, all Anglo-Irish types.

Almost simultaneous with these cultural developments, certain Anglo-Irish figures, especially Sir Horace Plunkett and George William Russell ("Æ"), espoused certain sociopolitical reforms, such as agricultural cooperatives and modernization, to prompt harmony between the ascendancy and the natives and regenerate a society soured by political and religious controversy. Behind some of this Anglo-Irish idealism was a basic conservatism, which saw in agrarian and spiritual Ireland an alternative to the mechanism and materialism of the fast-approaching democratic age. Social reforms were also in part motivated by a desire to kill off home rule with kindness.

LYONS PERHAPS MAKES TOO much of the idealists, who were scarcely typical of a class more concerned with its continued ascendancy and determined unconditionally to resist all change. It is, of course, a privilege for defeated causes to speculate on what might have been. However, Lyons does recognize the impracticality of the basic assumption of an aristocratic Anglo-Irish establishment leading an Irish-Ireland in a new (and democratic) century. Hence it was almost inevitable that the appearance of the Gaelic League (1893), to promote the language revival, and the land-purchase legislation of 1885, 1891, and 1903, which transformed the Irish peasant tenantry into peasant proprietors, would be followed by the appearance of a Gaelic-Catholic revival.

Protests and rioting greeted productions of Synge's plays in 1903 and 1907.

Gaelic-Catholic nationalism specifically rejected English culture in Ireland as well as the cosmopolitanism and artistic independence of the cultural fusion being sought by the above-mentioned Anglo-Irish types. Manifestations of the nationalist attitude included the founding in 1884 of the Gaelic Athletic Association, to foster traditional Gaelic sports—an alternative to the English games that were a "betrayal of the national heritage"; the formation of the still nonviolent Sinn Fein movement of Arthur Griffith (1905), which called for the fostering of separate national identity, language, literature, and industry; and the appearance of the Irish-Ireland movement of publicist D. P. Moran (1905), who advocated Gaelic language revival and industrial self-sufficiency as the keys to the ultimate survival of nationality.

The most dramatic confrontations were the rioting and protests that greeted the Abbey Theatre productions of the plays of John Millington Synge, *In the Shadows of the Glen* and *The Playboy of the Western World*, in 1903 and 1907. Both had themes from Gaelic Ireland, but were written in English and sought to present a specifically Irish cultural manifestation amenable to all the traditions in Ireland. However, the Irish-Irelanders rejected the plays for failing to present Gaelic Ireland in the most ideal and virtuous light and, consequently, for being subversive of nationality.

Gaelic-Catholic nationalism, espoused so eloquently by Padraic Pearse and the poets Thomas MacDonagh and Joseph Plunkett, who envisioned a blood-letting sacrifice as a necessary act of national redemption, inspired the Easter Week uprising of 1916 and governed the attitudes of the eventually successful Sinn Fein movement in the struggle for national independence between 1919 and 1921.

The Gaelic-Catholic initiative made all the more determined the resistance of that fourth cultural tradition in Ireland, Ulster Protestantism. Ulster Protestantism differed from the Anglo-Irish tradition in that it included both the Episcopal and Calvinist traditions, especially since the disestablishment of the Church of Ireland. Unlike the southern Anglo-Irish, who were the gentry ruling an overwhelmingly Catholic majority, Protestants made up the majority of the rank and file of the Ulster population. At the same time there remained a significant Catholic minority that had not been completely extirpated during the Protestant settlement. Although driven to poorer lands, the Catholics had sought to recover their original property with unsuccessful risings in 1641 and 1689–90. These events prompted a siege mentality that intensified a Calvinist antipapal ideology. An urban sectarian rivalry accompanied the nineteenth-century industrial revolution in Ulster, a Protestant evangelical revival in the 1850s, and reaction to political national-

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ism in the rest of Ireland; this made inevitable a determined secession from the rest of Ireland of as much of Ulster as the Protestants could dominate. This was achieved with the partition of 1920.

BARRIERS BETWEEN NORTH and south were hardened in the 1920s and 1930s. The government in the south adopted a Gaelic and Catholic character reflected in compulsory Gaelic instruction in the schools, prohibitions of divorce and of the importation of contraceptives, literary censorship, and quasicorporatist social thinking. In the north, informal but formidable sectarian government developed under a siege rationale because most of the Catholic minority refused to grant consent to what they regarded as a temporary partition. The new constitution drafted by the southern government in 1937 even proclaimed the whole island as the national territory, although, like congressional "captive nations" resolutions, the constitution acted more as an irritant than as a real policy.

In a way, one could credit the partition of Ireland with saving the island from the outright sectarian and ethnic warfare so common among the eastern European nations that had achieved national independence at that time. Catholic dominance in the south was so overwhelming that the numerically insignificant Protestant minority was unimpeded politically and indeed was allowed to maintain disproportionate social and economic importance. The more substantial Catholic minority in the north did not fare nearly so well; but how much worse would have been their situation in the civil war that would certainly have followed a forced unification of the island?

Lyons's analysis stops with the commencement of World War II, which he regards as a watershed marking the absolute alienation of northern and southern Ireland from each other. He acknowledges more recent developments, such as the all-pervasive Anglo-American mass culture in both sectors, the failure of the Gaelic revival, and the emergence of a poetic tradition in a primarily nonliterary Ulster. He has successfully demonstrated "an anarchy in the mind and in the heart," which has forbidden both territorial unity and "unity of being"; it results from "the collision within a small and intimate island of seemingly irreconcilable cultures, unable to live together or to live apart, caught inextricably in the web of their tragic history." ❑

DANCE

Classical Harlem

THOMAS RUSSELL, III

THE DANCE THEATRE OF Harlem has just completed its second solo New York season in as many years and will be touring on the West Coast and elsewhere in the late spring. The company's reappearance in New York after several years' absence marks a solidifying of its position, both artistic and financial. (As if to emphasize the point, a press release includes the group's Dun and Bradstreet rating.) The DTH is in fine shape artistically, and it's good to know that it seems to be successfully navigating the treacherous shoals of dance company financing as well.

For those new to it, the company was founded by Arthur Mitchell, formerly a principal dancer with the New York City Ballet, as his response to the death of Martin Luther King in 1968. From its early beginnings in a Harlem garage—doors were kept open in summertime to attract passersby—the company's school has grown to 110 students, and the company itself has recently returned from a successful tour in Europe where it played command performances before the King of Norway and the Queen Mother of England.

Anyone still unused to black dancers in classical ballet (as opposed to their frequent appearance in modern dance companies) may be in for a surprise. There can be no doubt that the Dance Theatre of Harlem is a major company, worthy of being and demanding to be judged by the highest international standards. There is also no doubt that, judged by those standards, the Theatre still has room to grow; but already, and for some time now, it has been one of our most exciting professional dance ensembles. There are certain obvious physical reasons for this—the women tend to be a full head taller than, say, Balanchine's girls, and the men are extraordinarily vigorous and masculine. And when well-lit—as was the case in *Serenade* and *Holberg Suite*, and emphatically was not in *Swan Lake*—the effect is surpassingly lovely.

The company's repertoire, like its training, is eclectic, but weighted heavily toward the classical ballet; or perhaps we should say toward the neoclassical, for it has always included a high proportion of the works of the New York City Ballet. This is not surprising given Mitchell's background—Balanchine choreographed *Agon*, one of his major works, on Mitchell and Diana Adams; and both Balanchine and Lincoln Kirstein are on the board of the DTH.

Anyone who is still unused to seeing black dancers in classical ballet may be in for a surprise.

Older works from the repertoire this season included Balanchine's *The Four Temperaments*, and the ineffable *Serenade*, his first ballet in this country; several works by Mitchell; Geoffrey Holder's popular ethnic ballet *Dougla*; and two warhorse pas de deux, from *Le Corsaire* and *Don Quixote*.

I didn't catch *Le Corsaire* but did see *Don Quixote*, and I wondered if it really served the company or its audiences well. It's true that some members of the audience are new to ballet—as Arlene Croce put it, "I mean *really* new"—and applaud almost any leap, lift, or multiple pirouette. For *Don Quixote* to be of any interest at all to the rest of the audience, however, the dancers must give an absolutely virtuoso performance. Although in Elena Carter and Ronald Perry the DTH has two excellent dancers, they don't really take your breath away.

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Unless this mindless étude achieves real incandescence, unless it is truly light and bright and sparkling, it falls flat.

As in any dance season, however, the accent was less on older works than on the troupe's additions to its repertoire. The company was giving its first performance of Glen Tetley's *Greening*, originally created for the Stuttgart group. For those who like Tetley's sort of thing, this is the sort of thing they like: pairs of dancers executing parallel series of grands jetés, men running around carrying women under their arms like ships' figureheads, atonal scores. The dancers performed energetically, and who can tell if there's anything more they could have done?

THIS SEASON, DTH PUBlicity has made much of the troupe's first public confrontation with the certified "classics" of ballet, specifically a section from *Paquita* (a Petipa ballet that's in all the history books but rarely seen in the West) and the second act (one of the Ivanov, "white" acts) of *Swan Lake*. Because the company is new to these ballets, it was courageous to preview them in New York rather than breaking them in more safely and privately, on tour. At this point, the spicy Spanish flavor of the finger-snapping *Paquita* comes more easily to the dancers than the sustained elegance of *Swan Lake*. It surprised me that today *Paquita* looks just a bit tame. I suspect that's because Balanchine has accustomed us to *real* speed, leading us to expect those rapid combinations with virtually no preparations, that high density of dancing that makes other and older works look thin.

In *Swan Lake*, as in *Serenade*, the dancers had been immaculately drilled (as they had been in most of the classical ballets), but particularly in those two ballets that's just not enough. The swans operate with a high level of precision, but that's where they stay—the performance is a model of textbook correctness. Of course, that's more than many companies ever achieve, but from the DTH it's disappointing because you expect more. You're impatient for the dancers to become as secure and relaxed in these works as you know they will be in a couple of years.

What's lacking right now in their *Swan Lake* and *Serenade* is a sense of expressiveness, of the relation of dance to music. The problem is clearly not, as someone suggested at intermission, that "black dancers don't relate to classical music"; the company's performance of Arthur Mitchell's classical choreography for Grieg's *Holberg Suite* is lyrical, sensitive, and supple. But in the two Tchaikovksy pieces the dancers' bodies reflect the music rather than expressing it; they don't feel it yet. The symptom of this is a certain absence of legato: The seams show. We get step, step, step, or (as in the port de bras so crucial to *Serenade*) pose, pose, pose, with the movements between poses scanted. It is, of course, precisely in those movements that the choreography puts itself most fully at the service of the music.

And there's another curious effect of that foursquare approach to the steps. In truly expressive work, in real cantilena movement, a dancer always conveys a sense of life *beyond* the steps, suggests the steps are only a part of something larger. Here, especially in the mercilessly shrill glare of Kevin Tyler's lighting, when a series of steps is finished, the stage looks empty. The steps are perfectly executed, but it's still Simon-says dancing.

Watching the DTH, you find yourself thinking about works you'd like the company to stage.

As I watched the company do several pieces, I wondered: Although obviously finely schooled, had the DTH dancers *seen* enough classical ballet, at least on the highest levels? (Professional dancers, especially in companies that tour, may have only a couple of days off a month that coincide with performances of anything they'd want to see.) How often had the women been able to see Natalia Makarova or Gelsey Kirkland? While the Bolshoi was in town, did any of them catch Semenyaka's *Swan Lake* or anything by Gordayev or Pavlova? It's not a matter of imitation but of inspiration: Even Kirkland has spoken of time spent mentally breaking down Makarova's port de bras.

On the other hand, the company responds rigorously to any dramatic impulse, even to the mere hint of one in a work like *Serenade*. Although nominally a plotless work, like most Balanchine ballets it offers just a suggestion of a story: of love briefly gained then lost, of a woman searching for a man, and a man for a woman. These wisps of character and plot the company seizes on, and without in the least distending the shape of the choreography, reveals *Serenade* as a story ballet. I may, I suppose, have seen the ballet better danced; still, it has never moved me more.

Watching the DTH, you find yourself thinking about the company's direction, now and in the future. You keep thinking of things you'd like to see it do. I wondered if Balanchine was really the best focus for its repertory. Why not draw on the company's dramatic resources in something like Cranko's *Eugene Onegin*, showpiece of the Stuttgart? Makarova's performances in New York and Washington last spring proved the ballet's adaptability to dancers of divergent schooling. And watching a ballet like *Troy Game*, with its obvious exploitation and gentle mockery of macho attitudes, I kept thinking how wonderful the company would look (particularly the men, who look underemployed as, say, cavaliers for the *Swan Lake* prince) in Grigorovitch's *Spartacus*, with its slashing, dashing leaps and turns. By now there are enough Bolshoi defectors looking for work in New York; surely one could be persuaded to stage *Spartacus* for the DTH. The talents of the Bolshoi men are squandered in it. But the Dance Theatre of Harlem would be a knockout.

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FILM

How not to run a film festival

STEPHEN HARVEY

ONE OF THE MOST SEDUCtive fringe benefits for fledgling film makers, critics, and archivists is the fact that nowadays film festivals have sprouted up in exotic locales throughout the world from Avoriaz to Zagreb and that, with a little luck, one may actually be invited to participate, all expenses paid. Film school laureates who don't know any better tend to have rather utopian visions of combining business (professional recognition for their maiden efforts on screen or in print) with pleasure (all those decadent après-screenings one hears tell of). Their first mistake is to assume that every such gathering is like Cannes, which, as everyone—including those *disgraziati* like myself who have never attended—knows, is both nonstop bacchanal and endless celluloid *grand bouffe*—sort of Harold Robbins meets André Bazin.

More-seasoned types have been around long enough to realize that film festivals are as diverse in spirit as the cinema itself. Rotterdam means arcane independent films; Karlovy Vary signifies opuses from the Eastern bloc; others focus on documentaries, animation, or science fiction; and, of course, there are those that dish up your basic cinematic smorgasbord. In the whoopee department, the experienced have long since learned that the most sybaritic doings likely to be found at any Italian festival (save Taormina) are polyglot round-table assemblies of structuralists and/or semioticians on the nature of art—so sensitive are the local leftist intellectuals these days to the possible charge of *mondanità*.

Nevertheless, it would require a considerably more ascetic character than mine to resist the lure of free airline tickets (particularly in the midst of a cheerless New York January), the prospect of a sheaf of temptingly unfamiliar films, and the company of congenial movie mavens from the world over. So when a sunbelt film festival (name cheerfully supplied on request) invited me to organize a sidebar event bringing prominent directors and some of their best work down there, I agreed with enthusiasm. Never mind that the previous, inaugural year of this festival had been shrouded in a haze of financial improprieties, while showcasing films so lamentable that even the most backwater of UHF outlets would have shunned them. This year, the festival was under new management, and everyone involved swore it would have the aesthetic rigor of Telluride mingled with the cosmopolitan pizazz of the Venice film festival in its *Dolce Vita* prime, all orchestrated by a staff of near-Teutonic efficiency and IBM-esque expertise.

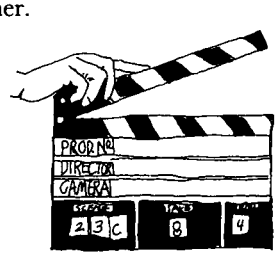
Theaters used for screenings must be at least 10 miles apart and 15 miles from festival headquarters.

Two weeks and several mild attacks of colitis later, I stumbled back to New York in a state of chagrined befuddlement. On the hazardous assumption that you can learn from adversity, I have herewith compiled a primer for the aspiring film festival organizer, guaranteed to ensure that said event will be something all in attendance will never forget, however hard they try:

1. *Make sure that your board of trustees is packed with local socialites.* First of all, such people realize better than anyone else that the real function of a festival is to provide an excuse to treat oneself to loads of buffet suppers and cocktail parties, preferably scheduled to conflict with screenings of whatever movies are in competition. Local socialites also provide a boundless source of amusement to any inveterate film type who might brush shoulders with them over the hors d'oeuvres tray, especially if they're the sort whose idea of a foreign movie is *Three Coins in the Fountain.*

2. *In hiring your chief festival administrator, rely on the Peter Principle above all other criteria.* Don't even consider conferring such an honor on someone who's actually run a festival elsewhere before—this type wouldn't really appreciate the distinction, and besides, he might even turn a bit refractory on realizing that his prospective employers don't know very much about movies and don't care. Instead, your best candidate is someone whose role model is apparently Faye Dunaway in *Network* (after all, it did win her an Oscar) and who, accordingly, projects competence and authority mainly by dressing in crisp beige suits and surging through anterooms barking terse ultimatums to a bevy of cringing underlings.

3. *In governing your administrative staff, take as your motto "l'état c'est moi."* This way, even if you have inadvertently managed to engage some intelligent and/or knowledgeable people to work under you, by the time the festival begins, they'll quake at the thought of making even the most trivial decisions without consulting you. Consequently, you'll ensure that during the course of the attendant chaos, your impotent staff will be besieged by irate film makers, VIPs, and gentlepeople of the press, while you're tending to important matters like clinking daiquiris with Brooke Shields's mother.



4. *All theaters showing films for the festival must be located at least ten miles from each other and fifteen miles from the festival's center of operation.* This will first of all diffuse any sense of drama and occasion your event might have managed to engender. Moreover, since your official transportation fleet consists of a battered station

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wagon and a Cadillac reserved for the administrators' use, should any of your imported guests actually want to see some of the festival entries, they'll have the opportunity to get to know the authentic locals via hitchhiking.

5. *Schedules are meant to be altered beyond recognition.* If you *must* adhere to your original game plan for screening times and places, keep it a state secret worthy of the Nixon White House, lest all those soothing acres of empty seats be invaded by bodies clutching valid tickets. If you have to, seize any excuse to shift things around, but don't let anyone in the metropolitan area (particularly the press) know until fifteen minutes after the screening has started. If by some chance the right schedule should hit the papers, make sure the director's name and/or the title of the film are misspelled—only pedants would notice, anyway.

6. *Make invidious comparisons.* By now you've learned that all the film makers present are tiresome worrywarts who live by the delusion that a festival showcase might actually affect the course of their careers. So when you inform them that the fruit of six years of their labor has been slotted to show twice—at 10 A.M. in some outlying shopping mall, and in direct competition with the Superbowl telecast, be sure to remind them how much more disorganized *last year*'s festival was. To the now gray-faced auteur, this will be tantamount to saying that compared to Krakatoa, the eruption at Vesuvius was a dip in a hot tub.

7. *Treat foreign cinéastes as if they were illegal aliens.* Over here no one knows who they are anyway. Don't meet them at the airport. Never find the time to introduce yourself to them personally. If you start to feel a slight twinge of remorse upon hearing that said guests have been padding around their hotel lobby talking to themselves for three days, send flowers if you must, but neglect to check whether the bill is enclosed by mistake. You'll be much better off ingratiating yourself with visitors from the West Coast, even if such luminaries are the director of *Tilt* and one-time blaxploitation king Fred Williamson. You never know when a contact in Hollywood will come in handy.

8. *Remember the Mussolini-at-Salò syndrome.* Once you're certain that everything has been irremediably botched, retreat to a spot where you and a squad of faithful die-hards can remain comfortably incommunicado. A well-guarded hotel-condominium complex far from the main action is ideal—the food is better, the suites are larger, and there's always somebody around to screen your calls.

9. *After the fall, keep your sunny side up.* Never mind those churls who write for the local newspapers or those kvetches who accepted your largesse and then bitched, bitched, bitched from the second day they arrived. *You* know the festival was a roaring success, and that any last-minute snags were the fault of your scant and inexperienced staff. Remind your board of all those notables you managed to sucker into appearing (never mind that they'd rather be hijacked to Libya than ever come back again), and promise an even more stellar lineup next time. Once the smoke has cleared, you'll still have months of planning and preparation to make sure that 1981 will make this year's festival look sick—redundant though that may seem. When next year rolls around, just keep invoking Rule Six, "You should have seen what a fiasco last year's was," without neglecting all the other rules. You'll have an established film festival and a credit to the community. Only pretentious outsiders will dare to criticize you.

Now that I've shown you the ropes, just one more thing: Please make sure my invitation to return next year gets lost in the mail. Otherwise, the next time an arctic front hovers over the eastern seaboard, I might even be tempted. ❑

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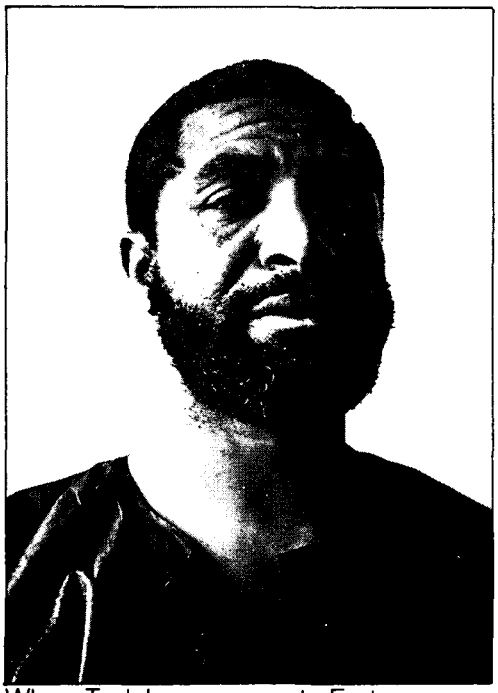

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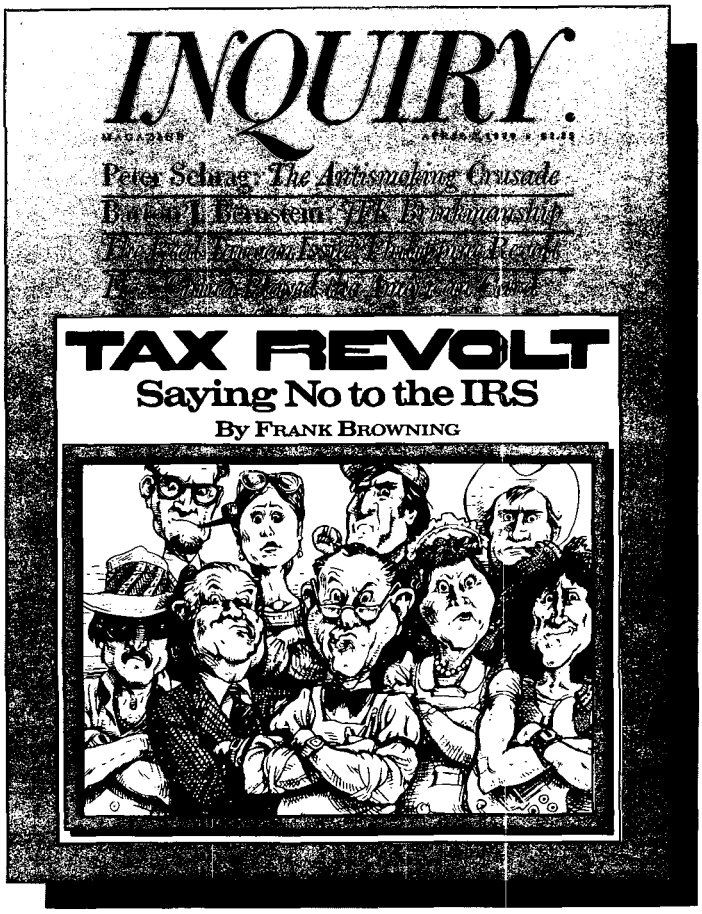

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